



ORDINANCE NO. 2020-01

**NODAWAY COUNTY ORDINANCE ON EMERGENCY MANAGEMENT  
IN RESPONSE TO COVID-19 PANDEMIC**

An ordinance of emergency management in response to COVID-19 pandemic that jeopardizes the safety and welfare of the inhabitants of Nodaway County, Missouri, that requires or restricts certain activities to ensure the safety and welfare of the inhabitants of Nodaway County, Missouri, a violation of which is punishable by arrest, fine, and/or confinement.

---

**WHEREAS**, the Honorable Governor of the State of Missouri enacted Executive Order 20-02 pursuant to the authority granted under section 44.100 and 44.110, RSMo., to protect the safety and welfare of the inhabitant of the State of Missouri in relation to the COVID-19 pandemic on or about March 13, 2020;

**WHEREAS**, the reasons the Honorable Governor of the State of Missouri enacted Executive Order 20-02 were detailed in that Order, including the COVID-19 pandemic endangering the safety and welfare of the inhabitants of the State of Missouri, is hereby adopted as part of this Ordinance as if fully set forth herein;

**WHEREAS**, Randall W. Williams, MD, FACOG, Director of the Missouri Department of Health and Senior Services, enacted an Order pursuant to the authority granted under section 192.020, RSMo., to protect public health and prevent the further spread of COVID-19, on March 21, 2020;

**WHEREAS**, the Director's Order dated March 21, 2020, is adopted as part of this Ordinance as if fully set forth herein;

**WHEREAS**, Nodaway County, Missouri, is recognized as a third (3<sup>rd</sup>) class county within the State of Missouri pursuant to sections 46.123, 48.010,

and 48.020, RSMo., as well as Article Six (6) of the Missouri Constitution, as a legal subdivision of the State of Missouri;

**WHEREAS**, Nodaway County, Missouri, is a county without a charter form of government with governing authority to adopt ordinances or resolutions relating to affairs regarding emergency management, specifically relating to the actual occurrence of a natural or man-made disaster of major proportions within the county that jeopardizes the safety and welfare of the inhabitant within the County pursuant to authority of section 49.650, RSMo.;

**WHEREAS**, Nodaway County, Missouri, concurs with the reasons and recommendations of the Honorable Governor of the State of Missouri and Director of the Missouri Department of Health and Senior Services and finds the COVID-19 virus is highly contagious and can spread through close contact between persons and respiratory transmission that, if infected, can result in mild or severe symptoms jeopardizes the safety and welfare of the inhabitant of Nodaway County, Missouri;

**WHEREAS**, Nodaway County, Missouri, enacts this Ordinance narrowly tailored to protect the safety and welfare of the inhabitants of Nodaway County, Missouri; and

**WHEREAS**, Nodaway County, Missouri, authorizes the Nodaway County Sheriff, or his deputy officers, to enforce the provisions of this Ordinance with the power to arrest and detain violators subject to the laws of the State of Missouri;

**NOW, THEREFORE, BE IT ORDERED BY THIS HONORABLE COMMISSION OF NODAWAY COUNTY, MISSOURI, AS FOLLOWS:**

**Section 1.** Every person in Nodaway County, Missouri, shall avoid social gatherings of more than ten (10) people. For purposes of this Ordinance, "social gatherings" shall mean any planned or spontaneous event or convening that would bring together more than ten (10) people in a single space at the same time.

**Section 2.** Every person in Nodaway County, Missouri, shall avoid eating or drinking within restaurants, bars, or food courts; provided, however, that

the use of drive-thru, pickup, or delivery is allowed throughout the duration of this Ordinance.

**Section 3.** People shall not visit nursing homes, long-term care facilities, retirement homes, or assisted living homes unless to provide critical assistance.

**Section 4.** Schools shall remain closed. This Ordinance does not prohibit schools from providing child care and Food and Nutritional Services for those children that qualify. Teachers and staff may enter the building as long as they follow the directives of this Ordinance.

**Section 5.** This Ordinance does not prohibit people from visiting grocery stores, merchants, gas stations, parks, banks, government, or their place of employment, so long as necessary precautions are taken and maintained to reduce the transmission of COVID-19, including maintaining at least six (6) feet of distance between all individuals that are not family members.

**Section 6.** For offices and workplaces that remain open, individuals shall practice good hygiene and, where feasible, work from home to achieve optimum isolation from COVID-19. The more that people reduce their public contact, the sooner COVID-19 will be contained and the sooner this Ordinance will expire.

**Section 7.** The Nodaway County Sheriff, and/or his deputy law enforcement officers, are authorized to enforce this ordinance with the power to arrest and detain a person or persons upon probable cause that a person or persons violated the terms of this Ordinance for up to twenty-four (24) hours subject to the additional penalties described in Section 9 upon a finding of a violation of this Ordinance in a court of law subject to the laws of the State of Missouri.

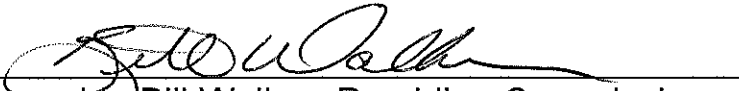
**Section 8.** The Nodaway County Sheriff, his deputy law enforcement officers, the personnel of the Nodaway County Sheriff's Office, the Nodaway County Prosecuting Attorney, the personnel of the Nodaway County Prosecuting Attorney's office, and any other county employee or agent, shall be immune from personal liability for enforcing the provisions of this Ordinance subject to the laws of the State of Missouri.

**Section 9.** A violation of this Ordinance shall be punished by a fine not to exceed five-hundred dollars and zero cents (\$500.00), or by confinement in the Nodaway County jail for a term not to exceed three (3) months, or any combination of the two penalties. For purposes of calculating the penalty for violating this Ordinance, a month constitutes thirty (30) days.

**Section 10.** This Ordinance shall immediately be in full force and effect on the date of its passage by the Honorable Nodaway County Commission.

**Section 11.** This Ordinance shall expire at 12:01 A.M. on Friday, May 1, 2020, unless terminated sooner or extended further by Ordinance from the Nodaway County Commission.

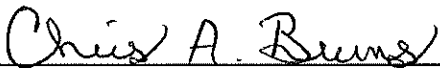
**SO ORDERED, PASSED, AND ADOPTED BY UNANIMOUS DECISION  
THIS 26<sup>TH</sup> DAY OF MARCH, 2020, AT 3:00 P.M.**



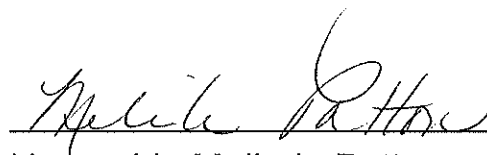
Honorable Bill Walker, Presiding Commissioner



Honorable Bob Stiens, South District Commissioner



Honorable Chris Burns, North District Commissioner



Honorable Melinda Patton  
Clerk  
Nodaway County, Missouri