State of Iowa

Executive Department

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, the World Health Organization has reported an outbreak of thousands of cases of Novel Coronavirus 2019 (COVID-19) in multiple countries, causing illness and deaths; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services declared a national public health emergency; and

WHEREAS, on March 9, 2020, a Proclamation of Disaster Emergency was issued to coordinate the State of Iowa's response to this outbreak and such disaster continues to exist; and

WHEREAS, on March 11, 2020 the World Health Organization declared the COVID-19 outbreak a global pandemic; and

WHEREAS, on March 13, 2020, President Donald J. Trump issued a proclamation declaring that the COVID-19 outbreak in the United States constitutes a national emergency; and

WHEREAS, on March 17, 2020, a Proclamation of Public Health Disaster Emergency was issued to provide additional needed resources and measures to respond to this disaster, and such public health disaster continues to exist and should be extended until April 30, 2020; and

WHEREAS, the risk of transmission of COVID-19 may be substantially reduced by continuing to ensure business takes appropriate public health precautions while reopening and that some other businesses and establishment remain closed; and

NOW THEREFORE, I, KIMBERLY K. REYNOLDS, Governor of the State of Iowa, by the power and authority vested in me by the Iowa Constitution, Art. IV, §§ 1, 8 and Iowa Code §§ 29C.6(1), 135.140(6), and 135.144 do hereby proclaim a **STATE OF PUBLIC HEALTH DISASTER EMERGENCY** continues to exist throughout the entire state of Iowa and do hereby **ORDER** and **DIRECT** the following:

PROTECTION OF VULNERABLE IOWANS

SECTION ONE. I continue to strongly encourage all vulnerable Iowans, including those with preexisting medical conditions and those older than 65, in all counties of the state to continue to limit their activities outside of their home, including their visits to businesses and other establishments and their participation in gatherings of any size and any purpose. And I encourage all Iowans to limit their in-person interactions with vulnerable Iowans and to exercise particular care and caution when engaging in any necessary interactions.

REOPENING OF BUSINESSES AND ESTABLISHMENTS (Statewide)

SECTION TWO. Pursuant to Iowa Code § 135.144 (3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I hereby order that effective at 5:00 a.m. on May 15, 2020 and until 11:59 p.m. on May 27, 2020:

A. **Restaurants:** A restaurant may reopen or remain open to serve food and beverages on its premises, but only to the extent that it complies with the following requirements:

(1) **Capacity limited:** The restaurant must limit the number of customers present at indoor or outdoor spaces to 50% of its normal operating capacity to ensure adequate spacing of groups.

(2) **Groups limited:** The restaurant must limit party size seated together to no more than six people.

(3) **Social distancing:** The restaurant must ensure at least six feet of physical distance between each group or individual dining alone.

(4) **Self-service prohibited**: The restaurant must not have any self-service of food or beverages, including buffets or salad bars.

(5) **Other social distancing, hygiene, and public health measures**: The restaurant shall also implement reasonable measures under the circumstances of each restaurant to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Inspections and Appeals and the Iowa Department of Public Health.

This paragraph does not reopen a bar, which must remain closed to the public except as provided in section 2, paragraph A of this Proclamation.

B. **Fitness centers:** A fitness center, health club, health spa, or gym may reopen or remain open, but only to the extent that it complies with the following requirements:

(1) **Capacity limited:** The establishment must limit the number of customers present to 50% of its maximum legal occupancy capacity.

(2) **Social distancing:** The establishment must ensure that all equipment, such as treadmills, bikes, weight machines, benches, and power racks, are spaced at least six feet apart or take other appropriate measures to ensure that more closely spaced equipment is not used.

(3) **Group activities:** Any group activities or classes must be limited to ten or fewer people and all people participating must maintain a distance of six feet apart at all times.

(4) **Other social distancing, hygiene, and public health measures**: The establishment shall also implement reasonable measures under the circumstances of each establishment to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

C. **Malls:** An enclosed mall may reopen or remain open, but only to the extent that it complies with the following requirements:

(1) **Capacity limited:** The mall must limit the number of customers present to 50% of its maximum legal occupancy capacity.

(2) **Common seating areas:** All common seating areas, such as food courts, shall remain closed. Restaurants in food courts may operate on a carry-out basis.

(3) **Play areas:** Any play area or playground must remain closed.

(4) **Social distancing, hygiene, and public health measures**: The mall shall also implement reasonable measures under the circumstances of each mall to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

D. **Other retail establishments:** A retail establishment that was previously ordered to be closed statewide and then only in certain counties under section 5, paragraph I, of the Proclamation of Disaster Emergency issued on April 27, 2020 , may reopen or remain open, but only to the extent that it limits the number of customers present to 50% of its maximum legal occupancy capacity and implements reasonable measures under the circumstances of each establishment to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

E. **Salons:** A salon, including any establishment providing the services of cosmetology, electrology, esthetics, nail technology, manicuring, and pedicuring, all as defined in Iowa Code § 157.1, may reopen, but only to the extent that it complies with the following requirements:

(1) **Capacity limited:** The salon must limit the number of customers present to 50% of its maximum legal occupancy capacity.

(2) **Appointment only:** The salon must operate on an appointment basis to ensure that the public is not gathering in a waiting area.

(3) **Social distancing:** The salon must ensure that all customers are at least six feet apart when performing cosmetology practices.

(4) **Other social distancing, hygiene, and public health measures**: The salon shall also implement reasonable measures under the circumstances of each salon to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

F. **Barbershop:** A barbershop, as defined in Iowa Code § 158.1, may reopen, but only to the extent that it complies with the following requirements:

(1) **Capacity limited:** The barbershop must limit the number of customers present to 50% of its maximum legal occupancy capacity.

(2) **Appointment only:** The barbershop must operate on an appointment basis to ensure that the public is not gathering in a waiting area.

(3) **Social distancing:** The barbershop must ensure that all customers are at least six feet apart when performing barbering services.

(4) **Other social distancing, hygiene, and public health measures**: The barbershop shall also implement reasonable measures under the circumstances of each barbershop to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

G. **Medical spas:** A medical spa, as defined in Iowa Admin Code § 653-13.8(1), may reopen or remain open to provide medical aesthetic services, but only if the medical spa complies with the requirements for performing outpatient procedures that utilize PPE in section 8, paragraph A, of this Proclamation.

H. Tanning facilities: A tanning facility, as defined by Iowa Code § 136D.2(5), may reopen or remain open, but only to the extent that the facility takes reasonable measures under the circumstances of each facility to ensure social distancing of employees and patrons, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with Guidance issued by the Iowa Department of Public Health.

I. Massage therapy establishments: An establishment where an individual is practicing massage therapy as defined by Iowa Code § 152C.1(3) may reopen, but only to the extent that the establishment takes reasonable measures under the circumstances of each establishment to ensure social distancing of employees and patrons, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with Guidance issued by the Iowa Department of Public Health.

J. Tattoo establishments: A tattoo establishment, as regulated by Iowa Code § 135.37, may reopen, but only to the extent that the establishment takes reasonable measures under the circumstances of each establishment to ensure social distancing of employees and patrons, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with Guidance issued by the Iowa Department of Public Health.

K. Campgrounds: Any public or private campground may reopen or remain open, provided that the campground implements reasonable measures under the circumstances of each campground to ensure social distancing, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

L. Race tracks: A speedway or race track, including a track conducting horse or dog races, may reopen or continue its operations provided that it does not permit any spectators to attend its events in person.

M. Libraries: A library may reopen or remain open provided that it limits the number of patrons present to 50% of its maximum legal occupancy capacity and implements reasonable measures under the circumstances of each library to ensure social distancing of employees and patrons, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

N. Drive-in theaters: A drive-in movie theater may reopen, but only to the extent that the theater ensures that all cars are parked at least six feet apart and takes other reasonable measures under the circumstances of each theater to ensure social distancing of employees and patrons, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with Guidance issued by the Iowa Department of Public Health.

O. Social and fraternal clubs: All social and fraternal clubs, including but not limited to American Legion or VFW posts, Elks Clubs, country clubs, and golf course clubhouses may reopen or remain open to the minimal extent necessary to conduct a regular business meeting of no more than ten people; to facilitate use of the golf course provided appropriate social distancing practices are implemented; and to serve food and beverages on its premises, but only to the extent that it complies with the following requirements:

(1) Protection of vulnerable Iowans: The club should make reasonable efforts to encourage vulnerable Iowans, including those with preexisting medical conditions and those older than 65, to limit their attendance and in-person interactions at the club.

(2) Capacity limited: The club must limit the number of customers present at indoor or outdoor spaces to 50% of its normal operating capacity to ensure adequate spacing of groups.

(3) **Groups limited:** The club must limit the party size seated together to no more than six people.

(4) **Social distancing:** The club must ensure at least six feet of physical distance between each group or individual dining alone.

(5) **Self-service prohibited**: The club must not have any self-service of food or beverages, including buffets or salad bars.

(6) **Other social distancing, hygiene, and public health measures**: The club shall also implement reasonable measures under the circumstances of each club to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Inspections and Appeals and the Iowa Department of Public Health.

(7) **Food Service Required:** If the club serves alcoholic beverages and the service of food is merely incidental to the consumption of beverages and is limited to the service of ice, snack foods and the reheating of commercially prepared foods such as frozen pizza, pre-packaged sandwiches, or other prepackaged, ready-to-serve products, the club shall continue to be closed to the public except that to the extent permitted by applicable law as modified by the suspensions in this Proclamation, and in accordance with any recommendations of the Iowa Department of Public Health, food and beverages may be sold if such food or beverages are promptly taken from the premises, such as on a carry-out or drive-through basis, or if the food or beverage is delivered to customers off the premises.

EXTENSIONS OF CLOSURES AND ORDERS
(Statewide)

SECTION THREE. Pursuant to Iowa Code § 135.144 (3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I hereby extend the following orders until 11:59 p.m. on May 27, 2020:

A. **Bars:** A bar shall continue to be closed to the general public except that to the extent permitted by applicable law as modified by the suspensions in this Proclamation, and in accordance with any recommendations of the Iowa Department of Public Health, food and beverages may be sold if such food or beverages are promptly taken from the premises, such as on a carry-out or drive-through basis, or if the food or beverage is delivered to customers off the premises. For the purposes of this section, a bar is an establishment where a customer may purchase alcoholic beverages and in which the serving of food in incidental to the consumption of those beverages and is limited to the service of ice, snack foods and the reheating of commercially prepared foods such as frozen pizza, pre-packaged sandwiches, or other prepackaged, ready-to-serve products.

B. **Theaters:** All theaters or other performance venues at which live performances or motion pictures are shown, except for drive-in theaters, shall continue to be closed.

C. **Casinos and gaming facilities:** All casinos and other facilities conducting pari-mutuel wagering or gaming operations shall continue to be closed, except that a race track conducting pari-mutuel wagering may reopen provided that it does not permit any spectators to attend its events in person.

D. **Senior citizen centers and adult daycare facilities**: All facilities that conduct adult day services or other senior citizen centers shall continue to be closed.

E. **Amusements:** All bingo halls, bowling alleys, pool halls, arcades, and amusement parks shall continue to be closed.

F. **Museums, aquariums, and zoos:** All museums, aquariums, and zoos shall continue to be closed.

G. **Skating rinks and skate parks:** All indoor or outdoor roller or ice skating rinks and skate parks shall continue to be closed.

H. **Playgrounds:** All outdoor or indoor playgrounds or children's play centers shall continue to be closed. This order does not apply to playgrounds in private residences or childcare facilities.

I. **Swimming pools:** All swimming pools and spas, wading pools, water slides, wave pools, spray pads, and bath houses, as defined in Iowa Code § 135I.1, shall continue to be closed.

J. **Door-to-door sales:** All unsolicited door-to-door sales and solicitations at all homes and residences shall continue to be prohibited.

SECTION FOUR. I continue to direct all state agencies to coordinate expeditiously in developing and implementing plans to mitigate the economic effects of the closings necessitated by this disaster, including potential financial support, regulatory relief, and other executive actions.

MASS GATHERINGS

SECTION FIVE. Pursuant to Iowa Code § 135.144 (3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, social, community, recreational, leisure, and sporting gatherings and events of more than 10 people shall continue to be prohibited at all locations and venues, including but not limited to parades, festivals, conventions, and fundraisers until 11:59 p.m. on May 27, 2020.

A. Spiritual and religious gatherings are not prohibited by this section, but a church, synagogue, or other host of a spiritual or religious gathering shall implement reasonable measures under the circumstances of each gathering to ensure social distancing of employees, volunteers, and other participants, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health. Although wedding and funeral ceremonies are not covered by this section, wedding receptions of more than 10 people are social gatherings that are prohibited.

B. A gathering of people inside parked cars, trucks, or other enclosed motor vehicles shall not constitute a gathering of more than 10 people if no more than 10 people are inside each vehicle, all people remain inside the vehicle at all times.

C. Planned large gatherings and events must be canceled or postponed until after termination of this disaster.

FARMERS MARKETS

SECTION SIX. Pursuant to Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to order that until 11:59 p.m. on May 27, 2020, farmers markets, as defined in Iowa Code § 137F shall not be prohibited as a mass gathering under this Proclamation of Disaster Emergency, but only to the extent that the farmers market complies with the following requirements:

A. **Farm Products and Food:** The farmers market may only permit vendors who sell farm products or food. Vendors selling other goods or services are not permitted.

B. **Entertainment and Activities Prohibited:** Musical performances, children's activities, contests, or other entertainment or activities organized by the farmers market or vendors are prohibited.

C. **Common Seating Prohibited:** Farmers markets must eliminate all common seating areas, picnic tables, or dining areas and shall prohibit vendors from having any seating for the public to congregate or eat food on the premises.

D. **Vendor Spacing:** Farmers markets shall space all vendor booths or assigned parking areas so that there is six feet or more of empty space from the edge one vendor's assigned areas to the neighboring vendor.

E. **Social distancing, hygiene, and public health measures**: Farmers markets shall also implement reasonable measures under the circumstances of each market to ensure social distancing of vendors and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 at farmers markets consistent with guidance issued by the Iowa Department of Public Health, Iowa Department of Agriculture and Land Stewardship, Iowa Department of Inspections and Appeals, and Iowa State University Extension and Outreach.

Any other farmers market, festival, or community gathering of ten or more people that does not comply with these requirements is prohibited. Customers of farmers markets are strongly encouraged to engage in social distancing, wear a mask or other protective face-covering if unable to maintain a distance of six feet from others, practice good hygiene practices, and attend the market alone without other family members.

AUCTIONS

SECTION SEVEN. Pursuant to Iowa Code § 135.144 (3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, all auctions with more than 10 people present in person continue to be prohibited until 11:59 p.m. on May 27, 2020, at all locations and venues, except for livestock auctions that only include food animals and farm product auctions, which may continue to operate so long as there are no more than 25 people present in person. People who remain inside parked cars, trucks, or other enclosed motor vehicles shall not be counted in considering the number of people present, provided all people remain inside the vehicle at all times.

NONESSENTIAL OR ELECTIVE SURGERIES AND PROCEDURES

SECTION EIGHT. Pursuant to Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I continue to order that until 11:59 p.m. on May 27, 2020:

A. A hospital, outpatient surgery provider, or outpatient procedure provider may conduct in-patient surgeries and procedures that, if further delayed, will pose a significant risk to quality of life and any outpatient surgeries or procedures if the hospital or provider complies with the following requirements:

(1) A hospital or provider must have:

(a) Adequate inventories of personal protective equipment (PPE) and access to a reliable supply chain without relying on state or local government PPE stockpiles to support continued operations and respond to an unexpected surge in a timely manner; and

(b) A plan to conserve PPE consistent with guidance from the CDC and Iowa Department of Public Health;

(2) A hospital or provider must have a plan for timely COVID-19 testing of symptomatic patients and staff to rapidly mitigate potential clusters of infection and as otherwise clinically indicated. Providers must comply with any relevant guidance related to testing requirements for patients and staff issued by the Iowa Department of Public Health, the CDC, or a provider's professional specialty society. For scheduled surgeries patients should have a negative COVID-19 test performed within 48 hours of surgery date. If a COVID-19 test is not available, a hospital or provider should consider

alternative methods to determine the patient's probability of COVID-19. If the patient has symptoms of fever, cough, or low oxygen saturation, then postponing the surgery is recommended.

(3) A hospital must continue to accept and treat COVID-19 patients and must not transfer COVID-19 patients to create capacity for elective procedures.

(4) A hospital must reserve at least 30% of intensive care unit (ICU) beds and 30% of medical/surgical beds for COVID-19 patients.

(5) A hospital or provider that begins conducting surgeries or procedures as authorized by this paragraph but is no longer able to satisfy all these requirements must cease conducting such surgeries or procedures except as authorized by paragraph B. All hospitals and providers shall have a plan in place to monitor compliance and a transition plan to reduce or suspend procedures and surgeries as necessary.

B. Except as provided in paragraph A, all nonessential or elective surgeries and procedures that utilize PPE must not be conducted by any hospital, outpatient surgery provider, or outpatient procedure provider, whether public, private, or nonprofit.

C. A nonessential surgery or procedure is one that can be delayed without undue risk to the current or future health of a patient, considering all appropriate factors including, but not limited to any: (1) threat to the patient's life if the surgery or procedure is not performed; (2) threat of permanent dysfunction of an extremity or organ system; (3) risk of metastasis or progression of staging; and (4) risk of rapidly worsening to severe symptoms.

D. Each hospital, outpatient surgery provider, and outpatient procedure provider shall limit all nonessential individuals in surgery and procedure suites and patient care areas where PPE is required. Only individuals essential to conducting the surgery or procedure shall be present in such areas.

E. Each hospital, outpatient surgery provider, and outpatient procedure provider shall establish an internal governance structure to ensure that the principles outlined above are followed.

IMPLEMENTATION AND INTERPRETATION

SECTION NINE. The Iowa Department of Public Safety, Iowa Department of Public Health, Iowa Department of Education, Iowa Department of Homeland Security and Emergency Management, Iowa Department of Transportation, and other participating state agencies continue to be directed to monitor the operation and implementation of this proclamation to assure the public's health and safety.

SECTION TEN. In conjunction with the Department of Public Health pursuant to Iowa Code §§ 29C.18 and 135.35, all peace officers of the state continue to be called upon to assist in the enforcement of the provisions of this Proclamation.

SECTION ELEVEN. Nothing contained in this declaration shall be construed as an exemption from any other portion of the Iowa Code or Iowa Administrative Code not specifically identified in this proclamation.

SECTION TWELVE. The provisions of this proclamation shall be effective immediately, unless otherwise noted. This proclamation shall not be construed to otherwise modify the proclamations of April 27, 2020, or May 6, 2020. This state of public health disaster emergency shall continue to expire on May 27, 2020, at 11:59 p.m., unless sooner terminated or extended in writing by me.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND CAUSED THE GREAT SEAL OF THE STATE OF IOWA TO BE AFFIXED AT DES MOINES, IOWA THIS 13TH DAY OF MAY IN THE YEAR OF OUR LORD TWO THOUSAND TWENTY.

KIMBERLY K. REYNOLDS
GOVERNOR

ATTEST:

PAUL D. PATE
SECRETARY OF STATE