

# Haywood County and State of North Carolina

## Stay Home – Stay Safe

As of April 2, 2020 at 12:00 noon.

Both Haywood County and the State of North Carolina have enacted Emergency Proclamations which Haywood County calls “Stay-Home Stay-Safe.”

This is interpretive guidance from Haywood County’s Health Department and Emergency Management Team, intended to help residents understand the two Proclamations. This document will be regularly revised to assure uniform interpretation across the county. The latest version is at the bottom of each page. The revisions are cumulative, so when a new version comes out, you can discard the older version.

### **The big picture – the big payoff**

Our county has a head start, and one chance – just one chance – to slow the movement of this virus among us.

If we can slow the virus down by the actions we take now, then we will buy the time we need to get our health-care system ready to deal with the sickness that is coming to us.

If we don’t take this opportunity, then the uncontrolled spread of the virus will overwhelm our doctors, nurses and hospitals and we will suffer unnecessary deaths to our most vulnerable – the older and the weaker.

Businesses and residents should try to focus on the benefit to our entire community by following these proclamations. None of us wants to be a person responsible for the spread of the virus. These proclamations are based on the bitter experiences of the countries and states who waited too long or took too-little action.

We all share the same goal in this crisis: to slow the virus down, to buy our health-care system the time to get ready. We all want to get over these

disruptions in our lives as quickly as possible. We can do that if we look to the spirit of these proclamations and look for every chance to stay home and stay safe.

## **The state and county proclamations**

Both the county and state proclamations are very similar, but they are not identical.

In interpreting the differences, this is the rule: the more restrictive provision applies. If the county has a rule that is more restrictive than the state, then the county rule applies. If the state has a rule that is more restrictive than the county, then the state rule applies.

Generally speaking, the county proclamation is more restrictive than the state proclamation.

## **A detailed review of the Proclamations**

### **The Basics**

**Essential** businesses, health-care and public health operations, human services operations (including religious organizations), essential government services, and essential infrastructure businesses **can stay open**. They must, to the extent practicable, establish and maintain Social Distancing.

**Non-essential** businesses **must close**, but they can maintain Minimum Basic Operations while closed.

**Essential travel (discussed later) is permitted, but non-essential travel is prohibited.**

### **The Details**

The most complex parts of the proclamations are the list of essential businesses and operations that can stay open. Here is a shorthand list of the essential

businesses, services and operations that can stay open:

### **1. Essential Health Care Operations, Including:**

- research and laboratory services
- hospitals
- walk-in-care health facilities
- emergency veterinary and livestock services
- elder care
- medical wholesale and distribution
- home health care workers or aides for the elderly
- doctor and emergency dental
- nursing homes, or residential health care facilities or congregate care facilities
- medical supplies and equipment manufacturers and providers
- blood drive and blood collection sites

### **2. Essential Infrastructure, Including:**

- utilities including power generation, fuel supply and transmission
- public water and wastewater
- telecommunications and data centers
- transportation infrastructure such as roads, bus, rail, or for-hire vehicles, garages
- hotels, and places of accommodation (such as AirBnb, VRBO and similar places), when used for Essential Activities. See the detailed explanation later in this document. Employees who work for a business or organization deemed essential can stay in any lodging.

### **3. Essential Manufacturing, Including:**

- food processing, manufacturing agents, including all foods and beverages

- chemicals
- medical equipment/instruments
- pharmaceuticals
- sanitary products
- telecommunications
- microelectronics/semi-conductor
- agriculture/farms
- household paper products

#### **4. Essential Retail, Including:**

- grocery stores including all food and beverage stores
- pharmacies
- convenience stores
- farmer's markets
- gas stations
- restaurants/bars (but only for take-out/delivery)
- hardware and building material stores
- pawn shops

#### **5. Essential Services, Including:**

- trash and recycling collection, processing and disposal
- mail and shipping services
- laundromats, laundry services
- building cleaning and maintenance
- child care services
- auto repair and sales
- warehouse/distribution and fulfillment
- funeral homes, crematoriums and cemeteries
- storage for essential businesses
- animal shelters

- legal, accounting, insurance services
- real estate (brokerage, appraisal, title companies)

## **6. News Media**

## **7. Financial Institutions, Including:**

- banks
- insurance
- payroll
- accounting
- notary public
- services related to financial markets

## **8. Providers of Basic Necessities to Economically Disadvantaged Populations, Including:**

- homeless shelters and congregate care facilities
- food banks
- human services providers whose function includes the direct care of patients in state-licensed or funded voluntary programs; the care, protection, custody and oversight of individuals both in the community and in state-licensed residential facilities; those operating community shelters and other critical human services agencies providing direct care or support

## **9. Construction, Including:**

- skilled trades such as electricians, plumbers
- other related construction firms and professionals for essential infrastructure, to include public works, roads and bridges, or for emergency repair and safety purposes

## **10. Essential Services Necessary to Maintain the Safety, Sanitation and Essential Operations of Residences or Other Essential Businesses,**

**Including:**

- law enforcement
- fire prevention and response
- building code enforcement
- security
- emergency management and response
- building cleaners or janitors
- general maintenance whether employed by the entity directly or a vendor
- automotive sales and repair
- disinfection
- lawn maintenance and tree trimming

**11. Vendors that Provide Essential Services or Products, Including Logistics and Technology Support, Child Care and Services:**

- logistics
- technology support for online services
- child care programs and services
- government owned or leased buildings
- essential government services

**12. Essential Activities:**

In general, activities that fall under these categories are Essential Activities, for which travel is allowed:

- For health and safety
- To get necessary supplies and services
- For outdoor activities (walking, hiking, golfing, running, cycling, using greenways)
- For work for essential businesses/operations
- To take care of others

### 13. Essential Travel:

- Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses and Operations, Health Care and Public Health Operations, Human Services Operations, Essential Infrastructure, or Minimum Basic Operations of closed businesses.
- Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons
- Travel to or from education institutions for purposes of receiving materials for distance learning, for receiving meals, and other related services
- Travel to return to a place of residence from outside the jurisdiction
- Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement
- Travel required for non-residents to return to their place of residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional prior to commencing such travel

#### **Special Haywood County rules that affect hotels and short-term rentals (rentals of less than 15 days):**

These rules apply to any type of facility providing lodging for non-essential travelers: hotels, bed and breakfasts, AirBnB, VRBO, campgrounds.

These rules do not apply to travelers who are undertaking Essential Activities, or who are working for Essential Businesses, Infrastructure, Government, or Health Care Operations: those travelers can stay in any lodging without limitations.

#### **Residents returning to the county after non-essential travel outside the county for more than three days must self quarantine for 14 days**

Residents (full-time or seasonal) who are returning to their home in the County from outside the county after non-essential travel of more than three (3) days are to comply with a self-quarantine for 14 days after their entry into the county. During the 14-day self-quarantine period they should not leave their residence and they should follow the provisions of the CDC's guidance on home isolation: (<https://www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-prevent-spread.html>).

Residents who return to their home in the county **who develop symptoms** or who have been exposed or **have come from an area of widespread virus** should self-monitor their health (twice daily temperature checks, isolation from others in the household) during the 14-day self-quarantine, using the standards of the CDC guidance referenced above.

The purpose of the 14-day self-quarantine is to substantially reduce the possibility of the traveler being a silent carrier of the virus and transmitting the virus to others.

**Short-term lodging is closed except for essential travel and permitted occupants**

All lodging facilities, including campgrounds and direct-reservation facilities (such as AirBnb and VRBO) with rentals or leases for less than 15 days in duration shall be **closed** to leisure and non-essential travelers.

The exception is for work-related accommodations, facilities housing persons experiencing homelessness and any facility being used for isolation and quarantine purposes.

Residents at campgrounds on the date of the county's ordinance (March 26, 2020 at 5:00 p.m.) are permitted to stay, but campgrounds should not allow new patrons to enter and establish themselves.

Residents at hotels, motels, and bed and breakfasts and other short-term rentals on the date of the county's ordinance (March 26, 2020 at 5:00



p.m.) are permitted to stay, but these facilities should cancel any leisure travel reservations for the duration of this declaration.

Any employees who work for a business or organization deemed essential can stay in any lodging.

**Non-essential travelers and property owners who are non-residents** of Haywood County who are staying overnight shall notify the Haywood County COVID-19 Hotline at 828-356-2019 to list with the County their most recent place of travel, length of stay and purpose for travel. The purpose of this contact is to allow the Health Department to protect the community by maintaining a directory of potential carriers of the virus who have entered the county.

**Frequently Asked Questions**  
**(Current as of April 2, 2020, 2020 at 12:00 noon)**

**1. I live outside of Haywood County, but work in the county. How does this affect me?**

If you work in Haywood County, then your business/employer must comply with this proclamation: Essential Businesses stay open and you can travel to and from them. Non-essential businesses are closed, except to undertake Minimum Basic Operations. You are allowed to travel through Haywood County and conduct Essential Activities within Haywood County and to return home.

**2. I live in Haywood County but work outside of the county. How does this affect me?**

You can travel for Essential Work or Essential Activities outside Haywood County. Once you leave the county, your travel may be affected by the State proclamation, which is similar to the Haywood County proclamation, in defining what sort of travel is allowed.

**3. Am I allowed to travel?**

You are allowed to travel for purposes of essential business and essential activities.

**4. Do I need a letter or document that authorizes me to travel for Essential Travel?**

No. You do not need any such document. The county is not issuing any document authorizing Essential Travel.

**5. Do I need a document from the county that identifies my business as “Essential”?**

No. The county is not issuing any document to classify a business as “Essential” or otherwise.

**6. Is there a curfew associated with the Proclamations?**

No.

**7. Am I allowed to go outside to exercise?**

Yes – but maintain social distancing of at least 6 feet from all others.

**8. I live in Canton, Clyde, Waynesville or Maggie Valley – does this order apply to me?**

Yes – this order applies to all persons within Haywood County.

**9. My business sells some things that are “Essential” and some things that aren’t on the “Essential” list. Can my whole business stay open if we practice Social Distancing?**

As presently written, the proclamations allow an Essential Business to sell things that are both essential and non-essential. All businesses that are open are required to establish rules for Social Distancing, including marking off six-foot distances in the cashier line.

**10. Must Essential Businesses limit the number of customers in the building at any one time?**

The Proclamations require open businesses to meet Social Distancing requirements, to the extent practicable. The county proclamation requires businesses to mark off the six-foot Social Distance sections at the checkout line.

There is no required formula for the number of customers in a business, but to meet the Social Distancing standard, one formula is based on the Social Distancing area, which is six feet between persons. This formula is applied by taking 133 square feet (which is roughly the area of a six-foot circle) and

dividing it into the area publicly available in the business. For example, a business that has 6,000 square feet available for access by the public would be practicing the Social Distancing standard if no more than 45 persons (customers and employees) were present (formula: 6,000 square feet divided by 133 sq. ft. per person = 45 persons allowed in the space).

**11. My business is closed because it is non-essential. Can I go in and clean it up and reorganize it?**

Both the state and county proclamations authorize even closed businesses to conduct **Minimum Basic Operations**, which are “the minimum necessary activities to maintain the value of the business’s inventory, preserve the condition of . . . physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.”

**12. How will the proclamation be enforced?**

We understand it may take a while for residents and business owners to become fully familiar with the new proclamation. During that time, law enforcement officials will be working with county officials to answer questions and direct inquiries to official sources of information, such as the county’s website, [www.haywoodcountync.gov](http://www.haywoodcountync.gov) or the COVID-19 call center (828) 356-2019.

We understand this is an extremely difficult time for our citizens and we are working together as a community to get through this. The measures being taken are to further efforts to protect those who are at high risk and to minimize the spread of COVID-19.

Law enforcement agencies in Haywood County are not seeking to punish citizens who are simply trying to adjust to drastic changes in their lives. County and municipal officials are dedicated to educating individuals in every way possible on the intent behind these changes. Again, law enforcement agencies throughout Haywood County want to work with citizens as we go through this process by using education, warning and advisement as much as possible.

There are high hopes that citizens will voluntarily comply with measures, demonstrating a common goal of flattening the curve and moving forward. If persistent, non-compliant actions are observed or reported, law enforcement will need to address the issue as outlined in the proclamation.

A violation of a duly adopted proclamation of emergency is a Class 2 misdemeanor, punishable by up to sixty days in jail or a \$1,000 fine. N.C.G.S. Section 166A-19.31(h).

**13. My business is listed as Essential on the Governor's Proclamation but not listed as Essential in the County's list (or the other way around). Can I stay open?**

The Governor's proclamation establishes that in a situation where there is both a county and a state list of Essential Businesses or Operations, the **more restrictive list applies**. Here is a breakdown:

Businesses **on** Haywood County's Essential List (can stay open) but are **not on** Governor's Essential List (and therefore must close):

1. Since the Governor's list is more restrictive, the business **must close** UNLESS the business could qualify to stay open using the Governor's Social Distancing Exception (Section 2. C. 1. on the Governor's Proclamation).

The Social Distancing exception in the Governor's proclamation is for businesses that can conduct operations while maintaining Social Distancing Requirements: a. between and among its employees and, b. between and among employees and customers except at the point of sale.

Businesses **on** Governor's Essential List (can stay open) but are **not on** Haywood County's Essential List (and therefore must close):

1. Since Haywood County’s list is more restrictive, the business **should close** UNLESS the business qualifies to stay open for limited purposes. The best example is motels and short-term rentals in Haywood. Haywood has a more restrictive list, and requires these businesses to not accept non-essential travelers, but the same businesses are OPEN for essential travel and essential business purposes.

**Decision tree shortcut:**

<u>Is business on Governor’s Essential List?</u>	<u>Is business on County Essential List?</u>	<u>Can stay open?</u>
YES	NO	No, unless qualifies to stay open for limited purpose, like motels
NO	YES	No, unless can qualify to stay open by meeting Social-Distancing-Rules exception in the Governor’s proclamation