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MAR 08 2021

Elkhart County Health Department
First Amendment to Public Health Order No. 06-2020

CLERK ELKHART
CIRCUIT COURT

Elkhart County COVID-19 Mitigation Directives

The outbreak of a new coronavirus continues to cause the disease called COVID-19, which continues to have a direct impact on the health and safety of Elkhart County residents. But the efforts of Elkhart County residents to follow the Mitigation Directives along with the steady deployment of COVID-19 vaccinations to our most vulnerable population has significantly improved our overall circumstances. Governor Holcomb has extended his mitigation directives by adopting Executive Order 21-06. Elkhart County is not permitted to be less restrictive or contradict the directive set forth in Governor Holcomb's executive orders. With this understanding, the mitigation directives set forth in Public Health Order 06-2020 must continue to be followed, but the level of oversight associated with social gatherings and events established by Public Health Order 06-2020 can now be modified to reflect the requirements established by Governor Holcomb. This First Amendment exclusively addresses when a social gathering or event can occur in Elkhart County without first obtaining approval, by the Elkhart County Health Department, of the required COVID-19 Safety Plan established for the social gathering or event.

With this understanding, I hereby Order the following amendment to Public Health Order 06-2020, effective at 12:01 am on March 9, 2021.

1. Amendment to Section II.D of Public Health Order 06-2020. Section II.D of Public Health Order 06-2020 is hereby deleted and replaced with the following:

D. **Social gathering** has the meaning given in Section 7.b of Governor Holcomb's Executive Order 21-06, or such future Executive Order issued by Governor Holcomb and in effect at the time.

2. Amendment to Section II.H of Public Health Order 06-2020. Section II.H of Public Health Order 06-2020 is hereby deleted and replaced with the following:

H. **Event** has the meaning given in Section 7.b of Governor Holcomb's Executive Order 21-06, or such future Executive Order issued by Governor Holcomb and in effect at the time.

3. Amendment to Section V of Public Health Order 06-2020. Section V of Public Health Order 06-2020 is hereby deleted and replaced with the following:

V. All educational institutions serving any K-12 level grades must ensure that all extracurricular and co-curricular activities and school sponsored events occurring in Elkhart County comply with whichever of the following is most restrictive:

1. the restrictions and directives set forth in Governor Holcomb’s Executive Order 21-06 or such future Executive Order issued by Governor Holcomb and in effect at the time; or

2. the restrictions and directives determined by the specific educational institution to be appropriate to mitigate the spread of COVID-19 at any given social gathering or event.

4. **Amendment to Section VI.A of Public Health Order 06-2020.** Section VI.A of Public Health Order 06-2020 is hereby deleted and replaced with the following:

A. **Capacity Limits for Social Gatherings and Events.** Social gatherings and events may occur without advance approval of a COVID-19 Safety Plan (“Plan”) from the Elkhart County Health Department to the extent permitted by Governor Holcomb’s Executive Order 21-06 or such future Executive Order issued by Governor Holcomb and in effect at the time. For clarity and convenience for all, this means that currently social gatherings and events may occur in Elkhart County without advance approval of a Plan based on Elkhart County’s color coded Advisory Level (not Weekly 2 – Metric Score), as follows:

Advisory Level Red:	25 or less in total attendance
Advisory Level Orange:	50 or less in total attendance
Advisory Level Yellow:	100 or less in total attendance
Advisory Level Blue:	250 or less in total attendance

Also for clarity and convenience for all, this means that currently social gatherings and events may occur in Elkhart County with the Elkhart County Health Department’s advance approval of a Plan based on Elkhart County’s color coded Advisory Level (not Weekly 2 – Metric Score), as follows:

Advisory Level Red:	more than 25 in total attendance, but not more than the lesser of 25% of a facility’s capacity or the maximum number permitted while maintaining the Social Distancing Measures in the areas designated for attendees.
Advisory Level Orange:	more than 50 in total attendance, but not more than the lesser of 25% of a facility’s capacity or the maximum number permitted while maintaining the Social Distancing Measures in the areas designated for attendees.

Advisory Level Yellow: more than 100 in total attendance, but not more than the lesser of 50% of a facility's capacity or the maximum number permitted while maintaining the Social Distancing Measures in the areas designated for attendees.

Advisory Level Blue: more than 250 in total attendance, but not more than the lesser of 100% of a facility's capacity or the maximum number permitted while maintaining the Social Distancing Measures in the areas designated for attendees.

5. **Amendment to Section VI.B of Public Health Order 06-2020.** Section VI.B of Public Health Order 06-2020 is hereby deleted and replaced with the following:

B. **Plan Submission Requirements.** Every Plan submitted to the Elkhart County Health Department must be submitted by completing the COVID-19 Safety Plan Review Request ("Review Request") form located at <https://health.elkhartcounty.com/en/health-department-forms/>, as amended from time to time. Every Plan must be organized in the format set forth in the Review Request and contain all of the information identified in the Review Request and required by Governor Holcomb's executive orders.

6. **Amendment to Section VI.C of Public Health Order 06-2020.** Section VI.C of Public Health Order 06-2020 is hereby deleted and replaced with the following:

C. **Plan Submission Timeline.** A Review Request and Plan must be submitted at least 14 calendar days in advance of the social gathering or event. If the Elkhart County Health Department requires modification to the Plan, then the final Review Request and final approvable Plan, incorporating all modifications required by the Elkhart County Health Department, must be submitted at least 7 calendar days in advance of the social gathering or event. Individuals or entities planning social gatherings or events should be cognizant of the fact that Elkhart County's Advisory Level may change and become more restrictive prior to the social gathering or event. To the extent attendance at a social gathering or event is expected to exceed the maximum number permitted, without an approved Plan, in the next highest Advisory Level color, individuals and entities are encouraged to consider voluntarily submitting their Plan to the Elkhart County Health Department for consideration in case Elkhart County's Advisory Level color changes.

7. **Amendment to Section VI.D of Public Health Order 06-2020.** All references to "Section V" in Section VI.D of Public Health Order 06-2020 are hereby replaced with "Section VI." All references to "Gathering or Meeting or Special or Seasonal Event" in Section VI.D of Public Health Order 06-2020 are hereby replaced with "social gathering or event." The reference to "with over 25 people" in Section VI.D.3 of Public Health Order 06-2020 is hereby replaced with "exceeding the maximum number of attendees."

8. **Amendatory Effect.** Except as amended herein, all of the provisions of Public Health Order 06-2020, will remain in full force and effect.

Signed and issued March 8, 2021, in Elkhart County, Indiana.



Dr. Bathany A. Wait, Elkhart County
Local Health Officer