

Ohio Issues Stay-Home Order

March 24, 2020

Ohio Department of Health Director Amy Acton issued the **Director's Stay at Home Order** on March 22, 2020, to prevent the spread of the coronavirus, the virus that causes COVID-19, in the state of Ohio. Ohio has joined the ranks of several other states including **California, Illinois** and **Michigan** in issuing similar shelter-in-place orders.

As of 11:59 p.m., March 23, 2020, all Ohio residents were ordered to stay at home or their place of residence unless they are engaged in essential activities or essential governmental functions, or to operate essential businesses or operations, until April 6, 2020. The state's primary goal is to slow the spread of COVID-19 to the greatest extent possible while enabling essential services and businesses to continue.

Essential government functions/businesses or operations exempt from this order are:

- Healthcare and public health operations
- Essential state and local government functions will also remain open, including law enforcement and offices that provide government programs and services, e.g., veterans services, Medicaid, law enforcement, judges, courts
- Human services operations, e.g., long-term care facilities
- Essential infrastructure, e.g. food production, construction, building management and maintenance
- Restaurants for off-property consumption, carry-out or delivery
- Stores selling groceries and medicine, e.g., grocery stores, pharmacies, convenience stores
- Food, beverage, and licensed marijuana production and agriculture
- Charitable and social service organizations
- Religious entities (subject to limits on large gatherings or events)
- Media
- Gas stations and other businesses needed for transportation
- Financial and insurance institutions
- Hardware and supply stores
- Critical Trades, e.g., building and construction tradesmen and tradeswomen
- Mail and Shipping services
- Educational Institutions (public and private) in order to effectuate distance learning
- Laundry services
- Businesses that sell, manufacture or supply products for people to work from home or to other essential businesses
- Transportation
- Home-based care and services
- Professional services, e.g., legal, accounting, real estate

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- Manufacturers, distributors and supply chain for critical products and industries
- Critical Labor Union Functions
- Hotels and motels for lodging and delivery/carry-out food services
- Funeral services

Temporarily closed businesses include:

- Dine-in restaurants (take-out services permitted at all restaurants, including alcoholic beverages which otherwise would be restricted under state law from being consumed off the premises)
- Bars and nightclubs
- Places of public amusement, whether indoors or outdoors, e.g., zoos, playgrounds, country clubs, movie theaters
- Entertainment venues, e.g., laser tag, roller skating, ice skating, arcades
- Gyms, fitness and dance studios
- Public events and gatherings
- Hair and nail salons and day spas
- Adult daycare services and senior centers
- Adult day support and vocational habilitation services for individuals with intellectual and developmental disabilities in congregate settings (10 or more people)
- All K-12 schools (public and private)

Residents are permitted to leave their home for health and safety reasons, to obtain necessary supplies and services, for outdoor activity, to perform work in the above-referenced essential businesses and operations or because they are working in critical infrastructure and to care for others.

Pursuant to the order, the Ohio Department of Health has indicated that the list of critical infrastructure is exempt from the order as identified in the Cybersecurity and Infrastructure Security Agency **Guidance on Essential Critical Infrastructure Workforce**: Ensuring Community and National Resilience in COVID-19 Response to help state, local, and industry partners in their efforts to protect communities, while ensuring continuity of functions critical to public health and safety, as well as economic and national security. Essential Critical Infrastructure Workers have been identified as exempt from the following sectors:

- Healthcare / public health
- Emergency services sector
- Food and agriculture
- Energy
- Water and wastewater
- Transportation and logistics

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- Communications and information technology
- Other community-based government operations and essential functions
- Critical manufacturing
- Hazardous materials
- Financial services
- Chemical
- Defense industrial base

The order further stresses that, even when engaged in unrestricted activities or otherwise, residents need to practice social distancing at all times and that all businesses can maintain minimum basic operations to protect and preserve the value of a business and facilitate employees working from home. Furthermore, the order directs state and local law enforcement to enforce the order to the extent set forth in Ohio law.

Miller Canfield attorneys are available to advise on how it may impact your business's operations.

This information is based on the facts and guidance available at the time of publication, and may be subject to change.