



# **NEWS RELEASE**

## **STATE EMERGENCY OPERATIONS CENTER**

**FOR IMMEDIATE RELEASE**  
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### **MDHHS issues Emergency Order updating gathering definitions, capacity restrictions, mask requirements and worker protections**

**LANSING, Mich.** – To help slow the spread of COVID-19 and protect the health and safety of all Michiganders, today, Michigan Department of Health and Human Services (MDHHS) Director Robert Gordon issued [an Emergency Order](#) under section 2253 of the Public Health Code restricting gathering sizes, requiring face coverings in public spaces and childcare facilities, placing capacity limitations on stores, bars and other public venues and providing for safer workplaces.

“Our goal is to maintain policies that have made a drastic difference in the fight against COVID-19,” Gordon said. “Cases are rising, and the science is clear. Masks reduce the spread of COVID-19. Social distancing reduces the spread of COVID-19. Public action is critical to saving Michiganders’ lives.”

Today’s order comes under a legal authority enacted by the Michigan Legislature after the Spanish Flu of 1918 specifically to deal with epidemics. That statute was not at issue in the Supreme Court’s ruling last week.

The order completes the major elements of the department’s efforts to align orders under its own authority with actions taken by Gov. Gretchen Whitmer that were successful in combatting the spread of COVID-19. Compared to Monday’s order, new provisions today provide for capacity limits in businesses, masks in childcare centers, added protections for workers, and requirements for contact tracing.

Under the new MDHHS order:

1. Masks must be worn at any gatherings occurring at businesses, offices, schools, childcare facilities, sporting events and other non-residential events.
  - a. Businesses cannot admit individuals who do not wear a face covering, and there are few exceptions.
  - b. The mask requirement continues to apply for organized gatherings larger than 10 indoors and 100 outdoors.
2. Capacity limits apply to indoor gatherings, including business, social and recreational.
  - a. Except in Region 6, a gathering at a retail store, library or museum may not exceed 50% of total occupancy limit established by state or local fire marshal.
  - b. Gatherings at recreational sports and exercise facilities are prohibited if they exceed 25% of the total occupancy limits established by the by state or local fire marshal, or if there is less than six feet of distance between each workout station.

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- c. Gatherings at non-tribal casinos may not exceed 15% of total occupancy limits established by state or local fire marshal.
- d. Food service establishments may not exceed 50% of normal seating capacity.
3. Capacity limits also apply to outdoor gatherings but are less strict.
4. Restaurants and bars have capacity limits for gatherings and may only serve alcohol to parties who are seated, six feet apart, and remain separate.
5. Organized sports require face coverings and have gathering limits.
6. Individuals who are in isolation or quarantine because of COVID-19 exposure, symptoms, or test results cannot go to work with others, and employers cannot require them to come to work in person with anyone else present.

Due to the effectiveness of the policies initiated by Governor Whitmer, and to minimize confusion following the Michigan Supreme Court's ruling, MDHHS has maintained policy under executive orders as much as possible in its new order.

- Capacity limits and rules for sports remain the same.
- The Traverse City region (Region 6) has slightly less strict rules, as before.
- Mask requirements for businesses and individuals are almost identical; they do not apply to individuals at outside gatherings except when unable to maintain six feet of distance.
- There are no longer bar closures, but bars may only serve alcohol to gatherings seated at tables.

To aid in contact tracing, many businesses continue to be required to maintain accurate records of the names, contact information, date and time of entry of all visitors. These facilities, which include sports and entertainment facilities and places of public amusement, theaters and cinemas, concert halls, sporting venues, stadiums, amusement parks, arcades, bingo halls, bowling centers, skating rinks, and trampoline parks, must deny entry to any visitor who does not provide their name and phone number.

Under MCL 333.2253, if the MDHHS director determines that control of an epidemic is necessary to protect the public health, the director by emergency order may prohibit the gathering of people for any purpose and may establish procedures to be followed during the epidemic to insure continuation of essential public health services and enforcement of health laws.

Pursuant to MCL 333.2235(1), local health departments are authorized to carry out and enforce the terms of this order. Law enforcement officers may also enforce the order and are specifically authorized to investigate potential violations of this order. They may coordinate as necessary with the appropriate regulatory entity and enforce this order within their jurisdiction.

Violations of this order are a misdemeanor punishable by imprisonment for not more than six months or a fine of not more than \$200, or both. Violations of this order are also punishable by a civil fine of up to \$1,000.

This order is effective immediately and remains in effect through Friday, Oct. 30. The October 5, 2020 order entitled Gathering Prohibition and Mask Order is rescinded. Individuals with suggestions and concerns are invited to submit comments via email to [COVID19@michigan.gov](mailto:COVID19@michigan.gov).

Information around this outbreak is changing rapidly. The latest information is available at [Michigan.gov/Coronavirus](https://Michigan.gov/Coronavirus) and [CDC.gov/Coronavirus](https://CDC.gov/Coronavirus).

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