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## **COOK COUNTY DEPARTMENT OF PUBLIC HEALTH ISSUES NEW MITIGATION ORDERS AMID LATEST COVID-19 SURGE**

### *Vaccines Required for Patrons of Dining, Entertainment, and Fitness Facilities*

**Forest Park, IL** --- In response to the current COVID-19 surge of cases and hospitalizations in suburban Cook County, Cook County Department of Public Health today issued a new mitigation order for its suburban Cook County jurisdiction. Specifically, the order calls for proof of vaccination for customers of indoor settings where food or drink are served for on-premises consumption, like restaurants, bars, and entertainment venues, and in fitness facilities. The order will go into effect January 3, 2022.

Suburban Cook County is seeing over 500 new cases per 100,000 population daily and the test positivity rate is 7.8 percent as of last week. The ICU capacity is at 10.8 percent bed availability.

Under the order, businesses must display signage about the mitigations at every entrance and prominently within the facility. Businesses must develop a written protocol with details for how they will check vaccine status and how they will enforce this order. CCDPH will post sample language for this written protocol to its website.

“Earlier this year, we had hoped that we were on a path to finally put the pandemic behind us,” said Cook County Board President Preckwinkle. “But unfortunately, with the dual threat presented by the Delta and Omicron variants, and with cases, hospitalizations and deaths rising to new heights across Cook County, we must once again reassess and re-align our strategies with what the science is telling us. And the science is clear - it will take all of us to beat COVID; people of all backgrounds, ethnicities and faiths getting vaccinated and taking common sense measures to stop the spread of the virus.”

Businesses violating these orders will be subject to inspection and possible fines for violations. Many restaurants have already introduced these protective measures;

this order will provide clarity to businesses and patrons throughout CCDPH's jurisdiction in most of suburban Cook County.

"Omicron is here in suburban Cook County, and it spreads incredibly quickly and easily, so CCDPH must take measures to contain the spread," said Dr. Rachel Rubin, CCDPH Co-Lead and Senior Medical Officer. "We are concerned about how easily the Omicron variant can spread among people, especially in crowded indoor settings. It is very important that we implement these measures to help lower the risk of transmission."

Fitness centers include settings like health clubs, yoga studios, group fitness classes, recreation centers, and dance studios. Entertainment venues include movie theaters, concert venues, live theater and music spaces, sports arenas, bowling alleys and arcades. Patrons in these facilities must remain masked and physically distant when possible.

"These measures are temporary, and we hope they are in effect for a very short time," said Dr. Kiran Joshi, CCDPH Co-Lead and Senior Medical Officer. "While there is so much that remains unknown about Omicron, we do know that our healthcare system is being severely strained. We are implementing these measures to reduce the transmission of COVID-19 and prevent severe illness requiring hospitalization."

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**ORDER OF THE  
COOK COUNTY DEPARTMENT OF PUBLIC HEALTH  
No. 2021-11  
COVID-19 MITIGATION  
Effective: January 3, 2022**

WHEREAS, On January 27, 2020, the United States Secretary of Health and Human Services declared that COVID-19, a respiratory illness spread by close contact through respiratory droplets, presents a public health emergency, and the World Health Organization characterized the COVID-19 outbreak as a pandemic on March 11, 2020.

WHEREAS, The Cook County Department of Public Health is the Illinois certified local health department for suburban Cook County, Illinois, with the exception of Evanston, Skokie, Oak Park, and Stickney Township, serving 127 municipalities.

WHEREAS, The Cook County Department of Public Health is responsible for determining when a danger to the public health exists within its jurisdiction, and to order measures deemed necessary to protect the public health until such time that the danger to the public health is eliminated or reduced in such a manner that an immediate threat no longer exists.

WHEREAS, pursuant to the Cook County, Illinois, Code of Ordinances Sec. 38-33(b), a law enforcement officer with proper jurisdiction shall be authorized to enforce orders issued by the Cook County Department of Public Health with respect to public health measures and shall assist in enforcing such orders.

WHEREAS, the United States and the State of Illinois are in the early stages of a large surge of COVID-19 cases due to the Omicron variant.

WHEREAS, The Cook County Department of Public Health has determined that mitigation measures are necessary to protect the public health.

NOW, THEREFORE, in accordance with the authority delegated to it by the Illinois Department of Public Health pursuant to the Illinois Public Health Act (20 ILCS 2305/1.1 *et seq.*); the Illinois Department of Public Health Powers and Duties Law (20 ILCS 2310/2310-15 *et seq.*); and the Cook County, Illinois, Code of Ordinances (Chapter 38, Article II *et seq.*), the Cook County Department of Public Health hereby directs and orders:

**All Businesses and Individuals:**

- Any individual aged two and older and able to medically tolerate a mask shall be required to wear a mask when indoors in a public place, regardless of vaccination status.
- For the purposes of this Order, indoor public spaces include any common or shared space in: (1) a residential multi-unit building or (2) any non-residential building, including but not limited to retail stores, restaurants, bars/taverns, health and fitness clubs, museums, hotels, personal services, performance venues, movie theaters, commercial buildings, event venues, healthcare settings, congregate facilities, on public transportation and in transportation hubs.
- Mask refers to a complete and tight knit fabric or cloth, or medical mask that is appropriately sized for the individual's face to snugly cover the nasal openings and mouth without the necessity of being held in place by the individual's hands.
- All businesses open to public must post signage, in a form and size approved by CCDPH, advising patrons and staff that masks are required to be worn on the premises. Such signage must be posted at all entrances to the premises as well as prominently posted in an area visible to patrons and staff within the establishment.
- Masks may be removed at restaurants, bars and other eating/drinking establishments by patrons when they are actively eating/drinking while stationary. Masks can also be removed for certain activities that require their removal, such as beard shaves or facials.
- Physical distancing of six feet should be maintained where feasible.

**Indoor settings where food or drink are served for on-premises consumption, and health and fitness centers:**

- Businesses must require any individual 5 years of age and older to show proof that they are fully-vaccinated against COVID-19 with an approved vaccine in order to enter the establishment.
- Businesses must require Patrons age 16 and older to show identification (including but not limited to driver's license, passport, government ID, work or school ID) with information that corresponds to the vaccination proof.
- Businesses must post signage advising patrons of this vaccine requirement. Such signage must be posted at all entrances to the premises as well as prominently posted in an area visible to patrons and staff within the establishment.
- Businesses may, in the interests of efficiency, allow patrons to provide the required vaccination proof prior to entry, either directly to the business itself or through an intermediary such as an event planner.
- Employees must be vaccinated or must weekly show proof of a negative COVID-19 test.
- Businesses must develop a written protocol providing details for how they will enforce this Order.

**Indoor settings where food or drink are served for on-premises consumption, and health and fitness centers include but are not limited to:**

- **Indoor dining establishments**, including bars, breweries, wine / spirit tasting rooms, restaurants, private clubs, country clubs, banquet halls, dining areas within any public business that is ancillary to the main business (cafes within grocery stores, other retail, etc.) coffee shops, food courts and food halls;
- **Event spaces**, including hotel ballrooms and commercial event and party venues and nightclubs.
- **Recreation and entertainment venues** in areas where food or beverages are served, including movie theaters, live performance spaces, including live theater and live music, sports arenas, skating rinks, adult entertainment venues, arcades, bowling alleys, play spaces, family entertainment centers, billiard halls, and venues for card playing; and
- **All indoor settings for recreation and exercise**, including health clubs, gyms, fitness centers, hotel fitness centers, recreation centers, yoga studios, cross-fit studios, cycling studios, dance studios, fieldhouses, boxing and kickboxing gyms, and other facilities conducting group fitness classes indoors.
  - All sports participants playing indoors should continue to follow the Illinois Department of [Public Health Sports and Safety Guidance](#).

All businesses shall comply with OSHA standards 1910.501(e) & (g) relating to employee vaccination status and testing, regardless of the number of their employees.

**An individual is considered fully-vaccinated:**

- Two weeks after their second dose in a 2-dose series with an approved COVID-19 vaccine, such as the Pfizer or Moderna vaccines, or
- Two weeks after a single-dose series with an approved COVID-19 vaccine, such as Johnson & Johnson's Janssen vaccine.

**An approved COVID-19 Vaccine** is a vaccine has been authorized or approved by either the Food and Drug Administration or the World Health Organization to prevent COVID19, whether for emergency use or otherwise.

**Proof of vaccination means:**

- A CDC COVID-19 Vaccination Record Card; or
- An official immunization record from the jurisdiction, state, or country where the vaccine was administered; or
- An 'app' that provides a digital record of vaccinations; or
- A digital or physical photo of such a card or record that includes the individual's name, the vaccine brand administered, and the date the vaccination was administered.

**Indoors** means any part of business subject to this Order with:

- A roof or overhang that is enclosed on at least three sides; or
- A temporary outdoor structure that holds multiple parties that has less than 50% of the sides open to allow airflow; or
- An outdoor dining structure meant for individual parties that does not have adequate ventilation to allow for four to six air exchanges per hour.

**Exemptions – Individuals:**

- Individuals entering an establishment for less than 10 minutes for ordering and carrying out food; making a delivery; or using restroom facilities.
- Individuals who have previously received a medical exemption, as long as proof of the medical exemption and a COVID-19 test administered by a medical professional within the last 24 hours prior to entering a business covered by the Order are provided to the business upon entry.
- A nonresident performing artist or nonresident person accompanying the artist who is not regularly performing in a business where the Order applies, but only while in the business for the duration of the performance.
- A nonresident professional athlete or nonresident person accompanying the athlete, who enters a covered location as part of their regular employment for purposes of the professional athletic or sports team competition.
- An individual 18 years of age or younger who enters a business subject to this Order to participate in a school activity or after-school program offered by any pre-kindergarten through 12<sup>th</sup> grade public or non-public school.
- Any person entering a business subject to this Order for the purposes of voting in a municipal, state, or federal election; or, pursuant to law, assisting or accompanying a voter or observing such elections.

**Exemptions - Business / Indoor Venues:** This Order does not apply to:

- Houses of worship and does not limit the free exercise of religion. To protect the health and safety of faith leaders, staff, congregants and visitors, religious organizations and houses of worship are strongly encouraged to consult and follow [CDC recommendations for Communities of Faith](#). Religious organizations are strongly encouraged to take steps to ensure social distancing, and implementation of other public health measures.
- K-12 schools, preschools, and child care centers.
- Indoor locations in a residential or office building the use of which is limited to residents, owners, or tenants of that building.
- Charitable food service establishments, such as soup kitchens.

In addition to any other penalty provided by law, violations of this Order shall be subject to the penalties as set forth in the Cook County, Illinois, Code of Ordinances Sec. 38-38.

This Order repeals and replaces Cook County Department of Public Health Order 2021-10.

Nothing in this Order shall, in any way, alter or modify the legal authority of the State or any county, or local government body.

If any provision of this Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Order are declared to be severable. This Order is meant to be read consistently with any Court order regarding this Order.

This Direction and Order by the Cook County Department of Public Health shall remain in effect for the duration of the COVID-19 public health emergency as declared by United States Secretary of Health and Human Services, or until such time the Cook County Department of Public Health makes a written determination that the threat to public safety has diminished to the point that this Order can be safely repealed.



Dated: 12/23/21

Effective: 1/3/22

Name: Rachel Rubin

Senior Medical Officer, Co-Lead

Cook County Department of Public Health