

## **Requirements for Educational, Cultural, and Entertainment Facilities**

In addition to the Healthy at Work [Minimum Requirements](#), **educational, cultural, and entertainment facilities** must meet the requirements below in order to reopen and remain open:

- Educational and cultural opportunities and attractions facilities and businesses include, but are not limited to, the following:
  - Aquariums, distilleries (including tours), indoor entertainment facilities (e.g., arcades, laser tag, roller skating and ice skating rinks, trampoline gyms, etc.), libraries, limited outdoor attractions (e.g., cave tours, zoos other than petting zoos, and the Salato Wildlife Education Center), public and private museums and historic sites (e.g., the Kentucky Derby Museum, Speed Museum and the Kentucky History Center) and wineries.<sup>1</sup>

### **Social Distancing Requirements**

- All facilities and businesses that operate restaurants or snack bars as a component of their facility or business must follow the [Healthy at Work Requirements for Restaurants](#).
- All facilities and businesses that operate retail stores as a component of their facility or businesses must follow the [Healthy at Work Requirements for Retail Businesses](#).
- All facilities and businesses must minimize the use of any waiting areas. Facilities and businesses must make reservations and sell tickets over the phone or online to the greatest extent practicable. For those facilities that cannot use online reservations/ticketing/sales, the facility should install floor or wall decals for cashier queuing areas to demark safe waiting distances of a six (6) feet minimums. Ticketing employees should be shielded by glass or plexiglass and use appropriate personal protective equipment.
- Outdoor facilities and businesses must limit the persons, not including employees, present in any given tourism facility or business to an amount small enough to permit at least six (6) feet of social distancing between all individuals or households. Additionally, tourism facilities and businesses must follow the [Healthy at Work Guidance for Gatherings of Up To Ten \(10\) People](#).

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<sup>1</sup> Amusement parks (e.g., Kentucky Kingdom), music venues, waterparks, fairs, festivals, sports complexes and other convention or entertainment venues that attract large crowds are not included in this guidance and shall remain closed until additional guidance and dates are announced.

- Outdoor facilities and businesses must promote safe and healthy experiences by following the Healthy At Work Minimum Requirements, to the greatest extent practicable.
- Outdoor facilities must develop and implement a plan and protocols to create transmission barriers, where possible, and promote and enforce social distancing; implement touchless solutions, where practical; and enhance and promote sanitation and hygiene practices.

Indoor facilities and businesses must limit the persons, not including employees, present in any given tourism oriented facility or business to 60% of the capacity of the facility. Additionally, tourism oriented facilities and businesses must follow the Healthy at Work Guidance for Gatherings of Up To Ten (10) People. That guidance can be found here: insert link

- Additional guidance:
  - ✦ Facilities with exterior exhibits: promote and enforce social distancing and masking when patrons and staff are in close proximity or passing by one another; ensure patrons do not touch exhibits; and develop one-way traffic touring routes/patterns, to the extent practicable.
  - ✦ Facilities with interior passive, self-guided tours: promote and enforce social distancing and masking when patrons and staff are in close proximity or passing by one another; ensure patrons do not touch exhibits; develop one-way traffic touring routes/patterns, to the extent practicable; and demarcate social distancing signage to avoid congregation between groups of patrons.
  - ✦ Facilities with interior guided tours: promote and enforce social distancing and masking when patrons and staff are in close proximity or passing by one another; ensure patrons do not touch exhibits; develop one-way traffic touring routes/patterns, to the extent practicable; demarcate social distancing signage to avoid congregation between groups of patrons; and ensure staff guides strictly follow social distancing protocols and wear face masks at all times, unless they are more than six (6) feet away from anyone else or doing so would put their health or safety at risk.

## **Cleaning and Disinfecting Requirements**

- ☐ Facilities and businesses should develop and implement a plan and procedures to ensure the facility, including offices and workstations, are properly cleaned and ventilated routinely.
- ☐ Facilities and businesses should encourage employees and patrons or customers to frequently wash their hands or use hand sanitizer, which should be provided by the employer.
- ☐ Facilities and businesses must ensure cleaning and sanitation of frequently touched surfaces (e.g., door knobs or handles, knobs, buttons, rails, rental equipment, and counter tops) with appropriate disinfectants. Appropriate disinfectants include EPA registered household disinfectants, diluted household bleach solution, and alcohol solutions containing at least 60% alcohol. Facilities and businesses must establish a cleaning and disinfecting process that follows CDC guidelines when any individual is identified, suspected, or confirmed COVID-19 case.
- ☐ Areas in the facility or business prone to frequent touch that cannot be properly sanitized on a routine basis (e.g., ball pits, foam block pits, etc.) must be closed.
- ☐ Facilities and businesses should ensure employees wipe their workstations/cash registers down with disinfectant at the end of their shift or at any time they discontinue use of their workstations/cash register for a significant period of time.
- ☐ Facilities and businesses should ensure disinfecting wipes or other disinfectant are available at shared equipment.
- ☐ Facilities and businesses should ensure employees do not use cleaning procedures that could re-aerosolize infectious particles. This includes, but is not limited to, avoiding practices such as dry sweeping or use of high-pressure streams of air, water, or cleaning chemicals.

## **Personal Protective Equipment (PPE) Requirements**

- Ensure, pursuant to Executive Order 2020-586 and 902 KAR 2010E, which are attached to this document, that all customers, vendors, contractors, and any other member of the public who enters the premises wear a face covering so long as they are not subject to any of the exemptions listed in the Executive Order.
- Inform any person attempting to enter the facility without a face covering of the requirement to wear a face covering. If the individual refuses and is not subject to any of the exemptions listed in the Executive Order, the individual must not be permitted entry onto the premises.
- Instruct any person who was previously wearing a face covering and removed it while on the premises and not subject to any of the exemptions listed in the Executive Order (e.g., individuals are permitted to remove face coverings when seated and actively consuming food or beverages), or exercising to put the face covering back on. If the individual refuses to do so, the facility must not provide them service and must ask them to leave

- Facilities who fail to follow these requirements of the Executive Order will be subject to a fine and may also be subject to an order from a local health department or the Labor Cabinet requiring immediate closure.
- Require employees to use face coverings whenever they are near other employees or customers so long as such use does not jeopardize the employees' health or safety. Employers should provide appropriate face coverings at no cost to employees and provide instruction on proper use of them.
- ☐ Facilities and businesses must ensure appropriate face coverings and other personal protective equipment (PPE) is used by employees whenever the employees are within six (6) feet of anyone else, so long as such use does not jeopardize the employees' health or safety. Facilities and businesses must train employees to use PPE. This training includes: when to use PPE; what PPE is necessary; and how to properly put on, use, and remove PPE.
- ☐ Facilities and businesses must require contractors and vendors to wear face coverings or masks while at the facility.
- ☐ Facilities and business must train employees to properly dispose of or disinfect PPE, inspect PPE for damage, maintain PPE, and the limitations of PPE.
- ☐ Facilities and businesses must ensure employees use gloves, along with any PPE normally used for routine job tasks, when cleaning equipment, workspaces, and high-touch areas of the business.
- ☐ Facilities and businesses must ensure gloves are available to employees engaging in high-touch activity to the greatest extent practicable provided that they do not create additional hazards while being worn.
- ☐ Facilities and businesses must ensure employees wear gloves while handling products during shipping and receiving.

## **Training and Safety Requirements**

- ☐ Facilities and businesses must place conspicuous signage at entrances and throughout the facility alerting staff and patrons or customers to the required occupancy limits, six feet of physical distance, and policy on face coverings. Signage should inform employees and patrons or customers about good hygiene and new practices.
- ☐ Facilities and businesses should, to the greatest extent practicable, implement hours where service can be safely provided to constituents at higher risk for severe illness per CDC guidelines. These guidelines are available at: <https://www.cdc.gov/coronavirus/2019-ncov/faq.html#Higher-Risk>
- Facilities and businesses should ensure employees are informed that they may identify and communicate potential improvements and/or concerns in order to reduce potential risk of exposure at the workplace. All education and training must be communicated in the language best understood by the individual receiving the education and training



**ANDY BESHEAR**  
**GOVERNOR**

**EXECUTIVE ORDER**

**Secretary of State**  
**Frankfort**  
**Kentucky**

**2020-996**  
**December 3, 2020**

**STATE OF EMERGENCY**

**WHEREAS**, the novel coronavirus (COVID-19) is a respiratory disease causing mild to very severe illness, including death, and many cases of COVID-19 have been confirmed in the Commonwealth; and

**WHEREAS**, I declared on July 9, 2020, through Executive Order 2020-586 that Kentuckians were required to wear face coverings in many public places to fight the continued spread of COVID-19 for the reasons set forth in that Order; and

**WHEREAS**, I renewed that Order: on August 8, 2020, through Executive Order 2020-651; on September 4, 2020, through Executive Order 2020-750; on October 6, 2020, through Executive Order 2020-856, and; on November 4, 2020, through Executive Order 2020-931; and

**WHEREAS**, data from the University of Oxford show an inverse correlation between the number of COVID-19 mitigation measures taken by a state, such as a face covering mandate, and the seriousness of the virus's third spike within that state;

**WHEREAS**, the Centers for Disease Control and Prevention conducted a study of Kansas's face covering mandate, wherein the 24 counties who complied with the mandate experienced a 6% decrease in new COVID-19 infections but the 81 counties who opted out of the mandate experienced a 100% increase in new COVID-19 cases;

**WHEREAS**, the Kentucky Constitution and Kentucky Revised Statutes, including, but not limited to, KRS Chapter 39A, empower me to exercise all powers necessary to promote and secure the safety and protection of the civilian population; and

**WHEREAS**, under those powers, I declared by Executive Order 2020-215 on March 6, 2020, that a State of Emergency exists in the Commonwealth and the State of Emergency continues:



**ANDY BESHEAR**  
**GOVERNOR**

**EXECUTIVE ORDER**

**Secretary of State**  
Frankfort  
Kentucky

**2020-996**  
**December 3, 2020**

**NOW, THEREFORE**, I, Andy Beshear, Governor of the Commonwealth of Kentucky, by virtue of authority vested in me pursuant to the Constitution of Kentucky and KRS Chapter 39A, do hereby Order and Direct the following:

1. For the purposes of this order, a “face covering” is a material that covers the nose and mouth and is secured to the head with ties, straps, or loops over the ears, or is wrapped around the lower face. It can be made of a variety of materials, including cotton, silk, or linen, and ideally has two or more layers. Face coverings may be factory-made, homemade, or improvised from household items such as scarfs, bandanas, and t-shirts. Guidance on how to make a face covering at home is available at: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-to-make-cloth-face-covering.html>.
2. The provisions of this Order shall apply to members of the public in Kentucky. Existing sector specific requirements mandating face coverings for employees of entities in the Commonwealth remain in effect and are available online at: <https://healthyatwork.ky.gov>.
3. People in Kentucky must cover their nose and mouth with a face covering when they are in the following situations that represent a high risk of COVID-19 transmission:
  - a. While inside, or waiting in line to enter, any: retail establishment; grocery store; pharmacy; hair salon/barbershop; nail salon/spa; tattoo parlor; child care facility; restaurant or bar (when not seated and consuming food or beverage); health care setting, or; any other indoor public space in which it is difficult to maintain a physical distance of at least six feet from all individuals who are not members of that person’s household;
  - b. While waiting for or riding on public transportation or paratransit, or while riding in a taxi, private car service, or ride-sharing vehicle, or driving any of the above while customers are present; or
  - c. While in outdoor public spaces in which the person cannot maintain a physical distance of six feet from all individuals who are not members of



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the person's household and is not otherwise covered by previously issued guidance.

4. The following are exempt from wearing face coverings:
- a. Children who are age 5 or younger;
  - b. Any person with disability, or a physical or mental impairment, that prevents them from safely wearing a face covering;
  - c. Any person who is deaf or hard of hearing and is actively communicating, or any person who is actively communicating with someone who is deaf or hard of hearing, and is able to maintain a safe distance of six feet from all individuals who are not members of that person's household;
  - d. Any person engaged in work that a state or federal regulator has concluded would make wearing a face covering a risk to their health or safety;
  - e. Any person who is seated and actively consuming food or beverage at a restaurant, bar, or other establishment that offers food or beverage service;
  - f. Any person who is obtaining a service that requires temporary removal of the face covering in order to perform the service;
  - g. Any person who is required to temporarily remove their face covering to confirm their identity or for security or screening purposes;
  - h. Any person who is giving a speech or broadcast to an audience and is able to maintain a safe distance of six feet from all individuals who are not members of the person's household;
  - i. Any person who is in a swimming pool, lake, or other body of water;
  - j. Any person who is exempt from wearing a face covering under guidance provided by the



**ANDY BESHEAR**  
**GOVERNOR**

**EXECUTIVE ORDER**

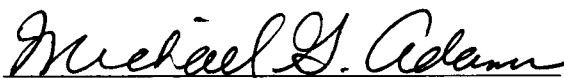
**Secretary of State**  
**Frankfort**  
**Kentucky**

**2020-996**  
**December 3, 2020**

Kentucky High School Athletics Association or  
under guidance for athletic activities at  
institutions of higher education;

- k. Any person who is engaged in a lawful activity where federal or state law prohibits wearing a face covering.
5. Failure to follow the requirements provided in this Order and any other Executive Order and any Cabinet Order, including but not limited to the Orders of the Cabinet for Health and Family Services, is a violation of the Orders issued under KRS Chapter 39A and must result in a loss of access to a business's services. Failure to follow the requirements could also subject a person or entity to penalties as authorized by law.
6. All local, county, and city government offices and agencies are encouraged to adopt or incorporate the requirements provided in this Order.
7. Nothing in this Order should be interpreted to interfere with or infringe on the powers of the legislative and judicial branches, or other constitutional officers to perform their constitutional duties or exercise their authority. However, the legislative and judicial branches, and other constitutional officers, are encouraged to adopt or incorporate the requirements provided in this Order.
8. This Order is effective at 5:00 p.m. on December 3, 2020, for a period of 30 days, and is subject to renewal.

  
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ANDY BESHEAR, Governor  
Commonwealth of Kentucky



**MICHAEL G. ADAMS**  
**Secretary of State**



RECEIVED AND FILED

DATE

12/4/2020

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MICHAEL G. ADAMS  
SECRETARY OF STATE

COMMONWEALTH OF KENTUCKY

BY

Sarah M. Dugan