

Order of the Secretary of the Pennsylvania Department of Health Directing Target Mitigation for Delaware County.

The 2019 novel coronavirus (COVID-19) is a contagious disease that is spreading rapidly from person to person in the world, the United States, and this Commonwealth. COVID-19 can be transmitted from any person who is infected, even if they have no symptoms. Additionally, exposure is possible by touching a surface or object that has the virus on it and then touching one's mouth, nose, or eyes. Symptoms of COVID-19 may include fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea. Older adults and people who have serious chronic medical conditions are at a higher risk for serious illness. Illness in children and young adults has become more common as the face of the pandemic continues to change. After a brief respite in the summer months, case counts and the number of hospitalizations have been rising throughout the Commonwealth, surrounding states, and the world. As of November 20, 2020, there have been 302,564 cases and 9,801 deaths in this Commonwealth caused by the still present and ongoing pandemic, numbers that continue to rise.

Earlier in the pandemic, I issued an order directing life-sustaining businesses to institute mitigation measures to protect the safety of employees and customers. [*Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures for Businesses Permitted to Maintain In-person Operations*](#), dated April 15, 2020. The Department of Health (Department) also issued guidance to health care providers in the form of Health Care Alerts (HANs) regarding isolation and quarantine, intended to allow for the continuation of life-sustaining health care services in the midst of the pandemic. With the measured reopening of the Commonwealth, the [*Order of the Governor Regarding the Closure of All Businesses That Are Not Life Sustaining*](#), dated March 19, 2020, *as amended*, and my [*Order Regarding the Closure of all Businesses That Are Not Life Sustaining*](#), dated March 19, 2020, *as amended*, have been suspended.

Despite the efforts taken to date, the pandemic continues to spread, and taking action to prevent that spread while continuing to allow for necessary resumption of economic and social activity requires the Commonwealth to take steps to minimize the danger to Pennsylvanians as a result of participating in that activity. In response to these concerns, in October, the Governor and I issued amendments to the *Order of the Governor Directing Targeted Mitigation Measures*, dated July 15, 2020, *as amended*, and my *Order Directing Mitigation Measures*, dated July 15, 2020, *as amended*. Additionally, the Governor recently issued the *Order of the Governor for Mitigation Relating to Travel*, dated November 17, 2020, as did I. See *Order of the Secretary of the Pennsylvania Department*

of Health for Mitigation Relating to Travel, dated November 17, 2020. I also issued the *Updated Order Requiring Universal Face Coverings*, dated November 17, 2020.

Delaware County is among those counties seeing serious increases in case counts and concomitant increases in deaths. Because of the continued countywide spread of cases, the County Council has requested that the Department take additional action out of concern that the increase in case counts in that County will continue unless additional mitigation measures are implemented. In response to that request, I am issuing this Order.

COVID-19 is a threat to the public's health, for which the Secretary of Health may order general control measures, including, but not limited to, closure, isolation, and quarantine. This authority is granted to the Secretary of Health pursuant to Pennsylvania law. *See* section 5 of the Disease Prevention and Control Law, 35 P.S. § 521.5; sections 2102(a) and 2106 of the Administrative Code of 1929, 71 P.S. §§ 532(a), and 536; and the Department of Health's regulations at 28 Pa. Code §§ 27.60-27.68 (relating to disease control measures; isolation; quarantine; movement of persons subject to isolation or quarantine; and release from isolation and quarantine). Particularly, the Department of Health has the authority to take any disease control measure appropriate to protect the public from the spread of infectious disease. *See* 35 P.S. § 521.5; 71 P.S. § 532(a), and 1403(a); 28 Pa. Code § 27.60.

Accordingly, on this date, November 21, 2020, at the request of their elected government (See County of Delaware, Resolution Number 2020-10) for additional protection for the people of Delaware County from the spread of COVID-19, I hereby order:

Section 1: Bars, restaurants and other retail food establishments within Delaware County

- A. Individuals in bars, restaurants and other retail food establishments must wear masks except when actually eating or drinking.
- B. Bars, restaurants and other retail food establishments must limit the number of individuals at a table to four, provided, a table intended to seat three or less may not seat more than the number of individuals for which it is intended.

Section 2: Gatherings

Gatherings of more than 10 people indoors are prohibited in Delaware County.

Section 3: Effect of Other Orders

The requirements of this Order shall be in addition to any other Order issued by me or by the Governor relating to COVID-19 mitigation requirements.

Section 4: Effective Date

Compliance with this Order shall begin immediately and remain in effect until January 2, 2021.

A handwritten signature in black ink, appearing to read "RLV MD". The signature is fluid and cursive, with the letters "RLV" being prominent and "MD" written in a smaller, more upright script at the end.

Rachel Levine, MD
Secretary of Health