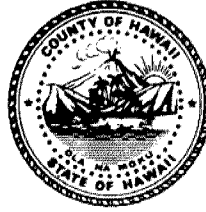


Harry Kim
Mayor



Roy Takemoto
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i Office of the Mayor

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Mayor's COVID-19 Emergency Rule No. 11

Pursuant to the authority vested in me by Hawai'i Revised Statutes Chapter 127A and due to the public health concerns related to COVID-19, I hereby adopt and promulgate the following rules which have the force and effect of law.

In accordance with Governor David Y. Ige's Twelfth Proclamation Related to the COVID-19 Emergency ("12th Proclamation"), the County and State of Hawai'i is within the "Act with Care" phase of the "State Roadmap to Recovery and Resilience." To date, there have been more than 5,600 documented cases of COVID-19 in the State of Hawai'i and 42 deaths attributed to this disease.

COVID-19 continues to endanger the health, safety, and welfare of the people of this State and County. Because COVID-19 is easily transmitted, especially in group settings, and gatherings accelerate transmission of the disease, a response requires the continued effort and sacrifice of the community to avert strains on our healthcare system and other disastrous impacts. The more people an individual interacts with at a gathering and the longer that close interaction lasts, the higher the individual's potential risk of becoming infected with COVID-19 and then spreading COVID-19 to others. The higher the level of community transmission in the area where the gathering is held, the higher the risk of COVID-19 spreading at the gathering. This rule is based upon evidence of COVID-19 within this State and County and seeks to address the essential objective of slowing its spread.

A. Work in Businesses or Operations

All businesses, operations, and activities are permitted to remain open except those businesses, operations and activities delineated in Exhibit 5, or as otherwise provided by this rule, and subject to all restrictions and physical distancing requirements of this rule, the 12th Proclamation and any subsequent proclamations or orders, the State Department of Health Reopening Hawai'i Safe Practices, and any CDC and industry guidelines.

B. Safe Practices

All persons shall implement the following physical distancing and sanitation requirements to the fullest extent possible:

1. Face Coverings Required. All persons within the County shall wear non-medical grade face coverings, over their nose and mouth, while in public settings.

Face coverings are not required in the following circumstances, unless specifically indicated otherwise in this rule:

- Persons five (5) years of age or younger;
- Persons with health or medical conditions that prevents them from wearing a face covering;
- Persons actively communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication;
- Persons obtaining a service involving the nose or face for which temporary removal of the face covering is necessary to perform the service;
- Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines;
- Persons actively engaged in work-related activities and able to maintain a physical distance of at least six (6) feet from others;
- Persons actively engaged in exercise activity so long as physical distancing requirements are maintained;
- Persons who are engaged in outdoor activities when alone, with members of their household, or when able to maintain a distance of at least six (6) feet from others.

A business or organization may refuse to allow entry or service to a worker, customer, or patron that refuses to wear a face covering.

2. High risk populations. Elderly and others at high risk for COVID-19 are urged to stay in their residences to the extent possible, except as necessary to seek medical care.
3. Persons who are sick. Persons who are sick or are exhibiting symptoms such as fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, sore throat, new loss of taste or smell, congestion or runny nose, nausea or vomiting, diarrhea or any other symptoms of COVID-19 identified by

the CDC shall NOT report to their places of employment and shall stay at their residences, except as necessary to seek medical care.

4. Physical distancing requirements. All persons shall maintain a minimum of six (6) feet of physical separation from all other persons to the fullest extent possible. Businesses or operations shall designate lanes for patrons' entry and checkout with appropriate signage, tape, or other means to establish the minimum six (6) foot spacing for customers waiting in line. Checkout operations shall be modified to provide the minimum physical distancing or to provide a shield or barrier separating the interactions between customers and checkout clerks.

Businesses and operations shall monitor and enforce, on their premises, the physical distancing requirements set forth in this rule.

5. Limited customer occupancy. Each business and operation shall determine the maximum number of customers that its respective facility may reasonably accommodate while maintaining the specified physical distancing requirements. The business or operation shall post and maintain this maximum number at its primary entrance. The business or operation shall limit and enforce the number of customers in its facility or at its operation to not exceed that maximum number at all times.

It is strongly recommended that a maximum of one (1) customer per one hundred fifteen (115) square feet of retail floor area be allowed into a facility or operation to maintain the minimum physical distancing requirement.

6. Hand sanitizing products. Businesses and operations shall provide hand sanitizer or equivalent hand sanitizing products for all employees and customers. All customers/patrons shall sanitize hands before entry. Hand sanitizing stations shall be available at each entrance. Employees handling items from customers, such as cash or credit cards, shall frequently utilize hand sanitizers.
7. Disinfection. Businesses and operations shall regularly disinfect all high-touch surfaces. Businesses and operations shall assign, train and schedule employees/staff to sanitize carts, conveyors, counters, handles, knobs, and other high-touch surfaces.
8. Safeguards for high risk populations. Businesses and operations are urged to implement processes to safeguard the elderly and any person identified by the CDC that are at increased risk for severe illness from COVID-19. Persons at increased risk are encouraged to stay in their

residence to the extent possible, except as necessary to seek medical care.

9. Online and remote access. Businesses and operations shall post online whether a facility is open and how best to reach the facility and continue services by phone or remotely. Businesses or operations shall encourage their customers to do their business remotely by phone or online to the extent possible.
10. Pickup at store or delivery. Businesses or operations shall provide for, if feasible, online ordering and purchase of goods and customer pickup of orders at a location outside the facility or shall provide for delivery to customer locations.
11. Signage. Businesses or operations shall post a sign at the entrance of the facility informing all employees and customers that they shall, at a minimum: wear face coverings while at the business or operation; avoid entering the business or operation if they have a cough or fever or otherwise do not feel well; maintain the required physical distancing from all others; and not shake hands or engage in unnecessary physical contact.

C. Gatherings

Indoor or outdoor social gatherings of groups up to ten (10) persons are permitted. Face coverings are required and physical distancing of at least six (6) feet between separate groups must be maintained. Members of a single residential or family unit who share the same address are not restricted.

A social gathering is defined as a planned or spontaneous event, assembly, or meeting that brings together multiple people from separate households in a single space or area, indoors or outdoors, at the same time and in a coordinated fashion.

1. A social gathering includes, but is not limited to, such get-togethers as a banquet, barbecue, concert, fair, festival, funeral, luau, parade, party, picnic, or wedding.
2. A social gathering does not include, and this definition does not apply to:
 - Federal, state and county government operations and functions;
 - Educational, adult and childcare facilities with adequate and active supervision and monitoring, enforcement capabilities, and established emergency response protocols;
 - Businesses, operations, and activities operating under Section A of this Rule.

D. Travel to the County of Hawai'i

Pursuant to the 12th Proclamation, all persons traveling to the County of Hawai'i from out of state or from inter-island, are subject to mandatory 14 day self-quarantine. The period of self-quarantine shall begin from the date of entry onto Hawai'i Island and shall last 14 days or the duration of the person's presence on the island, whichever is shorter.

Persons traveling to Hawai'i Island from inter-island and seeking a modified self-quarantine or exemption from the self-quarantine requirements must request and receive approval for such modification or exemption from the County at:
<https://survey123.arcgis.com/share/e2f4ce19aa854964a8fd60bec7f7be78c>.

Pursuant to the 12th Proclamation, persons requiring paid or commercial lodging while subject to the mandatory 14 day quarantine shall designate a hotel or motel as their quarantine location. Short-term vacation rentals (STVR), bed and breakfast (B&B) homes, or other types of transient vacation rentals (TVR) shall not be designated as a quarantine location except for visiting essential and critical infrastructure workers, provided quarantine restrictions are followed. A STVR, B&B or TVR may not be designated as a quarantine location for a new or "intended" Hawai'i County resident.

E. Specific Rules Relating to Businesses, Operations, and Activities

Exhibit 1. Restaurants, bars, food courts, and other food establishments

Exhibit 2. County Parks and Recreational Facilities

Exhibit 3. Barber Shops and Beauty Operators

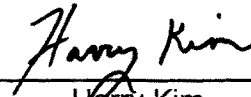
Exhibit 4. Places of Worship

Exhibit 5. Businesses, Operations and Activities to Remain Closed

F. Pursuant to Hawai'i Revised Statutes Section 127A-29, any person violating this Rule shall be guilty of a misdemeanor, and upon conviction, fined not more than \$5,000 or imprisoned for not more than one year, or both.


G. This rule shall take effect August 21, 2020 and shall continue through September 30, 2020 unless extended, rescinded, superseded, or amended by my subsequent order, or as otherwise provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the County of Hawai'i to be affixed. Done this 21st day of August 2020 in Hilo, Hawai'i.



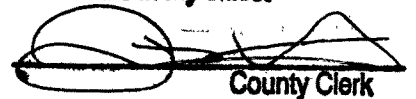
Harry Kim
Mayor
County of Hawai'i

CONCURRENCE:



Governor David Y. Ige

I HEREBY CERTIFY that above is a true and correct copy of the original now on file in my office.



County Clerk

EXHIBIT 1

Restaurants, bars, food courts, and other food establishments

Restaurants, bars, food courts, and other food establishments in the County shall comply with the following requirements:

- A. General.
- i. Compliance with Physical Distancing Requirements.
 - ii. Compliance with all regulatory guidelines.
 - iii. Development, posting, and implementation of written protocols (“COVID-19 Mitigation Plan”) consistent with County, State, industry-specific associations or organizations, and CDC guidance to mitigate the spread of COVID-19 including, but not limited to the following:
 1. <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/business-employers/bars-restaurants.html>
 2. <https://www.oneoahu.org/business-guidance>
- B. Operations.
- i. Face coverings.
 1. Employees - Cooks and kitchen staff that do not interact with the public are encouraged to wear face coverings during their shifts. All other restaurant employees must wear face coverings during their shift.
 2. Customers - Customers must wear face coverings when entering and leaving the restaurant facility, but may remove the face coverings while seated.
 - ii. All customers shall sanitize hands upon entry of the establishment.
 - iii. Group dining is limited to a maximum of ten (10) individuals per group.
 - iv. Seating shall be arranged so that six (6) feet of separation is maintained between groups seated at separate tables unless there is a solid barrier between seating groups.
 - v. Condiments shall be by request in single-use disposable packets, or reusable condiment containers that are sanitized between parties.
 - vi. Condiments, silverware, flatware, glasses, or other traditional table top items must not be left on an unoccupied table.
 - vii. Tables and chairs must be fully sanitized after each group (or individual customer) leaves the restaurant.
 - viii. Disposable food ware and utensils should be used when available. When non-disposable food ware or utensils are used, they must be sanitized after each use consistent with Hawai'i Department of Health guidance and regulations, and “best practices” of the U.S. Food & Drug Administration (“FDA”), available at: <https://www.fda.gov/food/food-safety-during-emergencies/best->

practices-re-opening-retail-food-establishments-during-covid-19-pandemic

- ix. Provide disposable menus or menu board, or sanitize reusable menus after each use.
- x. Hourly touch-point sanitization (workstations, equipment, screens, doorknobs, restrooms, etc.) required.
- xi. Valet services are prohibited, except for vehicles with placards or plates for disabled parking.
- xii. Buffets, salad bars, and other types of self-service of food or beverages are not allowed.

C. Hygiene.

- i. Employer must provide hand washing capability or sanitizer for employees and customers.
- ii. An adequate supply of soap, disinfectant, hand sanitizer, and paper towels must be available at all times.
- iii. Frequent hand washing by employees, especially between interactions with customers.
- iv. To the maximum extent possible employees shall wear food-grade gloves while handling food. Should employees handle any payment transaction (cash or credit card) or the property of the customer, they must sanitize gloves or change gloves before servicing the next customer.

D. Staffing.

- i. Provide training for employees regarding these requirements.
- ii. Conduct pre-shift screening, and maintain a staff screening log.
- iii. No employee displaying symptoms of COVID-19 shall provide services to customers. Symptomatic or ill employees shall not report to work.
- iv. No person should work within 72 hours of exhibiting a fever or other COVID-19 symptoms, and follow the CDC's "What To Do If You Are Sick" guidance, available at: <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>
- v. Employer must establish a plan for employees getting ill and a return-to-work plan following CDC guidance, which can be found online at: <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

E. Cleaning and Disinfecting.

- i. Cleaning and disinfecting must be conducted in compliance with CDC guidance.
- ii. When an active employee is identified as being COVID-19 positive by testing, cleaning, and disinfecting must be performed as soon after the confirmation of a positive test as practical consistent with CDC guidance.
- iii. CDC guidance can be found online at:

<https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>

- F. Encouraged Practices. Restaurants and bars are encouraged to do the following:
- i. Have customers enter and exit through different doorways using one-way traffic, where possible.
 - ii. Start or continue entryway, curbside, and home delivery, if permissible.
 - iii. Encourage making reservations, preordering for dine-in service, and ordering for contactless pick-up and delivery by either telephone or other remote means.
 - iv. Implement cashless and receiptless transactions.
- G. Specific requirements for bars.
- i. Limit groups within the bar to a maximum of ten (10) individuals per group.
 - ii. Ensure groups within the bar maintain at least six (6) feet of separation from other groups.
 - iii. Prohibit groups within the bar from intermingling.
 - iv. Designate areas to separate groups at least six (6) feet apart from each other. (E.g., through ropes or other physical separation for standing areas, or the seating of guests at separate tables, or both).
 - v. Require all employees that interact with the public wear face coverings.
 - vi. Ensure all customers wear face coverings when entering and leaving the bar, but allow customers to remove the face covering while in the bar.

EXHIBIT 2

COUNTY PARKS AND RECREATIONAL FACILITIES

1. All County of Hawai'i parks and recreational facilities: (1) listed specifically in Hawai'i County Code, Chapter 15 Parks & Recreation, Article 3, Section 15-68.1 "parks and recreational facility schedule," or (2) as defined by Hawai'i County Code, Chapter 15, Article 1, Section 15-3 as a "park area" or "recreational area" are **OPEN** from 7:00 a.m. to 7:00 p.m. pursuant to the following requirements, unless addressed separately hereinafter:
 - a. Physical distancing requirements contained in Governor David Y. Ige's 12th Proclamation, as amended or superseded, shall be followed.
 - b. Events or activities with the potential to generate gatherings in excess of the permitted maximum number of persons will not be allowed unless a comprehensive plan to protect the health, safety and wellbeing of participants, officials, supporters, spectators and other individuals present is pre-approved by the Director of Parks and Recreation (hereinafter "Director"). The plan shall include, but not be limited to, the following:
 - i) Reasonable means and methods to limit and enforce restrictions on gathering
 - ii) Reasonable means to inform, and methods to ensure and enforce, physical distancing requirements for all persons present
 - iii) Reasonable strategies for disinfection/sanitization of all common and high-touch surfaces
 - c. Concession (food, snack, beverage, merchandise, etc.) operations are not permitted without prior approval from the State Department of Health and the Director.
 - d. All permits and reservations for use associated with all park sites and recreational facilities may be cancelled at the discretion of the Director.
 - e. Businesses and operations with the appropriate permit(s) to operate in a park may resume, subject to specific approval of the Director and provided they adhere to applicable COVID-19 industry standards, CDC guidance, and State and County requirements.

2. For the safe operation of childcare programs approved by the Director, the following County of Hawai'i parks and recreational facilities are closed to the public from 7 a.m. through 3 p.m. on weekdays. Those parks and facilities allowed to open per Items 1 and 3 of this rule, may be opened at 5:30 p.m. through 7 p.m. on weekdays and at 7 a.m. through 7 p.m. on weekends and holidays:
 - a. Waiākea Uka Park & Stanley Costales Waiākea Uka Gym
 - b. Waimea Community Center

The Director may authorize additional specific uses of/at the above-listed

facilities for County-operated, managed, sponsored or approved activities, programs, services and functions.

3. The following County of Hawai'i parks and recreational facilities remain closed to the general public:
 - a. All community centers and senior centers
 - b. All gymnasiums and covered play court facilities
 - c. Afook-Chinen Civic Auditorium
 - d. Aunty Sally Kaleohano's Luau Hale
 - e. Francis F.C. Wong Stadium
 - f. Hakalau Beach Park
 - g. Honoka'a Swimming Pool (ongoing construction)
 - h. NAS Swimming Pool (Hale Hanakahi emergency shelter facility)
 - i. Pana'ewa Rainforest Zoo & Gardens (ongoing construction)
 - j. Shipman Gym
 - k. Waiākea Recreation Center

The Director may authorize limited term, specific uses of the above-listed facilities for County-operated, managed, sponsored or approved activities, programs, services and functions.

4. All County cemeteries, including veterans' cemeteries administered by the County, remain open for visitation during their respective standard hours of operation.
5. The Hilo Municipal Golf Course remains open with modified rules for play in effect. The golf pro shop concession and restaurant concession may continue with modified operations and hours subject to approval of the Director.
6. Swimming pools remain open with modified days/hours of operations and modified rules in effect as established by the Director.
7. Camping is permitted in accordance with the following conditions and with modified rules as established by the Director:
 - a. The following campsites remain open:
 - i) Gilbert Kahele Recreation Area
 - ii) Ho'okena Beach Park
 - iii) Kapa'a Beach Park
 - iv) Kohanaiki Beach Park
 - v) Laupāhoehoe Pt. Beach Park
 - vi) Māhukona Beach Park
 - vii) Punalu'u Beach Park
 - viii) Spencer Park at 'Ōhai'ula Beach
 - ix) Whittington Beach Park

- b. All other campsites remain closed until further notice unless use is specifically approved by the Director.
 - c. All campers shall be responsible to disinfect/sanitize all common contact surfaces (such as grills, picnic tables, water faucets, restroom fixtures, showers, etc.) prior to and immediately following each person's use.
 - d. All campers shall provide their own disinfecting/sanitizing supplies and accessories necessary to comply with the preceding requirement and as required to maintain their individual health and safety.
 - e. All tents/canopies belonging to campers from the same group shall be separated by a minimum of ten (10) feet. All tents/canopies belonging to separate groups of campers shall be separated by not less than twenty (20) feet.
8. Outdoor organized team sports, such as baseball, softball, soccer, futsal, football (tackle, flag, or touch), rugby, volleyball, basketball and similar sports that are customarily and traditionally played at outdoor venues (hereinafter "Sports Program(s)") are permitted to continue operations as follows:
 - a. **Phase 1:** Sports Programs may continue operations limited to sports conditioning, individual skill development and controlled group situational drills (hereinafter collectively "Practice(s)") for participants and coaches under the following conditions and requirements:
 - i) Physical distancing of not less than six (6) feet between individuals shall always be maintained to the maximum extent practicable.
 - ii) Groups are limited to a maximum of twenty-five (25) individuals (includes athletes, coaches, managers, staff, etc. required to successfully implement a practice session) from a single Sports Program.
 - iii) Where multiple Sports Programs are present at the same facility, not less than twenty (20) feet of separation shall always be maintained between separate Sports Programs. (Mingling of individuals between Sports Programs shall not be permitted.)
 - b. **Phase 2:** Select Sports Programs may continue full regimen practices and scrimmages (hereinafter collectively "Training") and competitive play under the following conditions and requirements:
 - i) Excluded from this section are outdoor sports and similar activities that require sustained close contact, such as football, rugby, basketball, boxing, wrestling, martial arts, mixed martial arts, etc. These close contact sports may continue under Phase I (above) only.
 - ii) Competitive play shall be limited to one Sports Program competing against another Sports Program (e.g., one baseball team playing against another) and shall not exceed a maximum of 50 individuals (athletes, coaches, managers, staff, scorekeepers/statisticians, and officials/referees/umpires [hereinafter collectively "Participants"] and parents/guardians, family members, friends, supporters and spectators

[hereinafter collectively "Non-Participants"]) combined between competing Sports Programs

- iii) Groups are limited to two (2) Sports Programs on a common outdoor sports field, court, etc. at the same time.
 - (1) Where competitive play or Training is scheduled in proximity to other competitive play or Training, not less than twenty (20) feet of physical separation shall always be maintained.
 - (2) No mingling shall be allowed between members of separate Sports Programs.

- c. **For Phase 1 and Phase 2**, Sports Program operators shall ensure that:
 - i) Physical distancing protocols and procedures exist, are communicated to and understood by all Participants and Non-Participants.
 - ii) Close contact engagements beyond those necessary to carry out Practices, Training and competitive play (e.g., huddles, high-fives, fist-bumps, post-game handshakes, team cheers, etc.) shall not be permitted.
 - iii) Specific considerations are implemented and enforced pertinent to the configuration and controlling physical features of the sports venue relative to the athletic activity engaged in including, but not limited to, maintaining unhindered access to entrances/exits, controlling queues, identifying and accounting for bottlenecks, respecting maximum occupancy of venues and portions thereof, etc.
 - iv) All Participants are screened for illness and symptoms of COVID-19 prior to entering the facility each time Practices, Training and competitive play will occur.
 - v) Participants and Non-Participants always wear face coverings when arriving, spectating, and leaving. Participants actively engaged in Practices, Training or competitive play, where and when face coverings pose an increased safety risk, shall not be mandated to wear a face covering.
 - vi) There is no socializing in groups before or after designated times for Practices, Training, and competitive play.
 - vii) Individuals from outside the Sports Program are limited in their interactions with Participants during drop off/ pick up.
 - viii) Any Participant who has tested positive for COVID-19 may not attend Practices, Training or competitive play until they are cleared for release from isolation according to CDC guidelines and cleared to return by a healthcare provider.
 - ix) Any Participant exposed to a person with a confirmed or probable case of COVID-19 may not attend Practices, Training, competitive play, or any other activity of the Sports Program until they have completed quarantine following CDC guidelines.
 - x) All program activities are evaluated to identify and mitigate "high-risk" activities (shared equipment, incidental close contact, etc.) to reduce or prevent COVID-19 transmission.

- d. Individuals shall comply with any lawful requirements imposed by the Sports Program operator.
 - e. Nothing in this section requires a public or private Sports Program to open or resume operations.
9. All other State or County restrictions related to COVID-19 must be followed, including, but not limited to, applicable quarantine restrictions.

The foregoing is subject to specific park closures as designated by the County of Hawai'i Department of Parks and Recreation and supersedes any conflicting County of Hawai'i emergency rule provision.

EXHIBIT 3

Barber Shops and Beauty Operators

1. Barber shops and beauty operators (hereinafter collectively "Salons") shall follow all safe practices described in this rule and Exhibit H of the Governor's 10th Proclamation.
2. Salons shall prohibit any person from entering their place of business when exhibiting symptoms such as fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, sore throat, new loss of taste or smell, congestion or runny nose, nausea or vomiting, diarrhea or any other symptoms of COVID-19 identified by the CDC.
3. Sanitizing: Provide hand sanitizing stations for employees and customers. Hand sanitizing stations shall be available at each entrance.
4. All persons shall maintain a minimum of six-feet of physical separation from all other persons to the fullest extent possible. Each business and operation shall determine the maximum number of customers that its respective facility may reasonably accommodate while maintaining the specified physical distancing requirements.
5. Signage: The business shall post signage at the entrance informing all customers of the requirement to wear CDC recommended face coverings while in the salon, not to enter the facility if they have a cough, fever, or do not feel well; to maintain a six-foot distance from others, and not to shake hands or engage in unnecessary physical contact.
6. All operators shall wash hands thoroughly with soap and hot water and dry hands thoroughly with sanitary towels or hand dryers prior to client contact and in-between each client.
7. All implements and coverings that come into contact with a client must be changed and laundered or sterilized prior to being used on any other client.
8. Chairs shall be cleaned and disinfected after occupancy by each client. A clean towel or paper cover must be placed on the head rest of any chair, and changed for each client.
9. All clean towels must be kept in a closed cabinet at all times when not being used.
10. A clean strip of cotton, a towel or paper band shall be placed around the neck of each client, so that at no time will hair, cloth, or cape come in contact with the neck or skin of the customer.

11. All fixtures, furnishings, equipment, work stations and restrooms are to be cleaned regularly and disinfected with EPA registered products.
12. Employees must wash hands after using phones, computers, handling cash, or credit cards, and wipe all services between each use.
13. No food or beverages, except water, shall be sold, kept for sale, or stored in any salon.

EXHIBIT 4

Places of Worship

Places of Worship, including in-person spiritual services may be conducted subject to the following:

- A. All persons present at the service must maintain six-feet of physical distance between others, except members of the same household or living unit. The gathering limits contained in Section C. of this rule are not applicable to places of worship, however organizers shall limit the number of persons attending in-person spiritual services to ensure physical distancing requirements are met.

- B. Organizers and employees are strongly encouraged to develop and implement appropriate COVID-19 mitigation plans and procedures for their respective in-person services, which must include, but are not limited to, addressing the following issues:
 - i. Usage of face coverings.
 - ii. Safeguards for higher risk populations consistent with CDC guidance, available at <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/index.html>.
 - iii. Persons who are sick.
 - iv. Personal hygiene.
 - v. Usage of hand sanitizer and sanitizing products.
 - vi. Cleaning and disinfection.
 - vii. Online and remote access and/or drive-in services.
 - viii. Signage.
 - ix. Limiting community sharing of worship materials and other frequently touched items.
 - x. Projection of hymns and verses, when possible.

- C. Organizers and employees of in-person spiritual services must follow, to the greatest extent possible, current COVID-19 related County guidelines, State of Hawai'i guidelines, and CDC guidelines (available at: <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/index.html>)

- D. Encouraged Practices. Places of Worship are encouraged to do the following:
 - i. Modify the methods used to receive financial contributions. Consider a stationary collection box, the main, or electronic methods of collection regular financial contributions instead of shared collection trays or baskets.
 - ii. If food is offered at any event, consider pre-packaged options, and avoid buffet or family-style meals, if possible.

- iii. No childcare during services and/or events, however if childcare must be provided during services and/or events, refer to CDC's information on preventing the spread of COVID-19 in a childcare setting and adapt your settings.

EXHIBIT 5

Businesses, Operations and Activities to Remain Closed

Businesses, operations and activities identified below shall remain closed:

1. Nightclubs
2. Large indoor venues (concerts, sports, conventions, expos)
3. Large outdoor venues (concerts, sports, conventions, expos)
4. Road races (marathons, triathlons, etc.)

Note, however, travel to engage in minimum basic operations of the businesses and operations identified above is allowed, including the minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, and related functions as well as the minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences. Minimum basic operations do not include in-person public/customer contact.