

IOWA – COVID-19 – Proclamations of Disaster Emergency – Issued 4/2/20 and 4/6/20

NON-ESSENTIAL BUSINESS CLOSURES

Proclamation of Disaster Emergency (1st Order):

<https://governor.iowa.gov/sites/default/files/documents/Public%20Health%20Disaster%20Proclamation%20-%202020.04.02.pdf>

Extension of Proclamation (2nd Order):

<https://governor.iowa.gov/sites/default/files/documents/Public%20Health%20Proclamation%20-%202020.04.06.pdf>

GENERAL TOPIC	SUMMARY	SECTION #
Effective Period	1 st Order went into effect on April 2, 2020. The 2 nd Order went into effect on April 7, 2020. Both continued in effect until 11:59 p.m. on April 30, 2020. [These Orders were superseded by the Proclamation of Disaster Emergency 4/27/20]	1 st Order §1, 2 nd Order § 1
Intent	To slow the spread of COVID-19 by temporarily closing certain public establishments, continuing the previous closures, and continuing to prohibit mass gatherings.	
Failure to Comply	The Order does not specify a penalty for non-compliance but indicates that “all peace officers” are called upon to assist in the enforcement of the provisions of the Order.	2 nd Order § 6
Stay at Home	N/A. No stay at home provisions. See below re gatherings.	
Business Closures	The Orders closed and extended the closure of a number of businesses. See list of closed businesses below.	1 st Order § 5, 2 nd Order § 1
Restaurants/Bars and Non-Essential Retail – Limited Operations	<ul style="list-style-type: none"> • Restaurants and Bars (food and beverages may be sold if the food and/or beverages are promptly taken from the premises via carry-out, drive-through, or delivered to customers). The Orders suspended certain prohibitions on sale of alcohol for off-premises consumption. • Other nonessential retail establishments (e.g. bookstores, clothing stores, jewelry stores, cosmetic stores etc.). These businesses may serve the public through online or telephone sales, delivery, or curbside pickup) <p>The Orders do not affect essential retail establishments such as discount stores, grocery stores, or pharmacies that sell essential food, medical supplies, and household goods.</p>	1 st Order § 5, 2 nd Order § 2
Non-Essential Medical and Dental	Nonessential medical and dental services that require the utilization of personal protective equipment (PPE) must not be conducted.	1 st Order § 10-11, 2 nd Order §
Gatherings	Gatherings of more than 10 people are prohibited.	1 st Order § 7-9, 2 nd Order § 4-5

Disclaimer: The information provided in this handout is general information and not designed to be and should not be relied on as your sole source of information when analyzing and resolving a specific legal issue. Each fact situation is different; the laws are constantly changing. If you have specific questions regarding a particular fact situation, we urge you to consult with legal counsel.

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	Exemption for gathering of people inside parked cars if no more than 10 people are inside each vehicle, all people remain inside the vehicle at all times, and the vehicle remains enclosed with all windows, sunroofs, and convertible tops closed. There is an exception for livestock auctions, which may continue to operate so long as there are no more than 25 people present.	
Travel	The Orders do not restrict travel.	
Other Provisions	Orders also cover other topics, including school closures, health care staff matters, regulatory suspensions, telehealth, foreclosures, evictions, taxes, meetings, notarization, licenses, and other relief	
DEFINITIONS (SUMMARY)		
Businesses to be Closed	<p>The Orders closed and/or continued the closure of the following businesses:</p> <ul style="list-style-type: none"> • Fitness centers • Swimming pools • Salons • Medical spas • Barbershops • Tattoo establishments • Tanning Facilities • Massage therapy establishments • Theaters • Casinos and gaming facilities • Senior citizen centers and adult daycare facilities • Malls • Tobacco or vaping stores • Toy, gaming, music, instrument, movie or adult entertainment stores • Social and fraternal clubs (food or beverages may be sold if the food and/or beverages are taken from the premises, and golf clubhouses may be open to minimal extent necessary to facilitate use of golf course) • Amusements (e.g. bowling alleys, pools halls, amusement parks, etc.) • Museums, libraries, aquariums, and zoos • Race tracks • Skating rinks and parks • Playgrounds (does not apply to playgrounds in private residences or childcare facilities) • Campgrounds (an exception applies for use of campgrounds by long-term or permanent tenants) • Door-to-door sales 	1 st Order §5, 2 nd Order § 1

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DISCLAIMER: *This information is provided for convenience only, and should not be relied upon in making decisions for your business. As this is a rapidly changing area, reference should always be made to the official order and related interpretative guidance. If you have specific questions about how any particular jurisdiction's Order affects your business, or other COVID-19 topics, please contact a member of the Holland & Knight's COVID-19 Response Team – State and Local Orders and Regulations.*

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