HOW MDHHS GATHERING ORDER OF 1/22/2021 AFFECTS PUBLIC LIBRARIES

This information is intended as a tool to assist in clarification and decision making for Public Library Directors and Boards. It is not intended as legal advice. Library Boards and Directors should consult with their library attorneys when determining a plan or policy for their libraries.

1/22/2021

The MDHHS Order issued, Friday 1/22/2021 amends protocols for restaurants and in-service dining. https://www.michigan.gov/coronavirus/0,9753,7-406-98178_98455-550215--,00.html

This order goes into effect on February 1, 2021

There is one change that affects PUBLIC Libraries (Academic and School and School/public have differing requirements as explained in Section 5 of the Order):

Section 2(a)(2) now states:

**General capacity limitations at gatherings.**

a. Indoor gatherings:
   2. Are prohibited at non-residential venues, except where no more than 10 persons from no more than 2 households are gathered.

This is a change from the previous order, which prohibited ANY indoor non-residential gatherings.

**So, what does this mean?**

- The order still defines “gatherings” as” any occurrence, either indoor or outdoor, where two or more persons from more than one household are present in a shared space.” (Section 1(h)).

- The order still defines “Households” as “a group of persons living together in a shared dwelling with common kitchen or bathroom facilities. In dwellings with shared kitchen or bathroom facilities occupied by 20 or more unrelated persons, households are defined by individuals who share a bedroom.” (Section 1(i)).

(Note that under these definitions, family members living at different addresses would be different households)

- Permitted gatherings of people from no more than 2 households must comply with established protocols including MASKS and SOCIAL DISTANCING.
For Example:

- **In-person Board Meetings are STILL PROHIBITED**: Even a 5-member board will be comprised of people from more than 2 households, and even if they were, a meeting of 10 people is not large enough to satisfy the Open Meetings Act requirements.
- **In-person programming is still prohibited** if it involves more than 2 households (including the library staff presenting it).
- **In-Person Staff meetings are still prohibited** if there are more than 2 households involved.
- **Meeting room use by patron groups is still prohibited** if more than 2 households are represented.

If there are any questions, please contact your library attorney for clarification of your library’s particular situation.

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