

WAYNE COUNTY LOCAL PUBLIC HEALTH DEPARTMENT EMERGENCY  
EPIDEMIC ORDER IN RESPONSE TO THE COVID-19 PANDEMIC UNDER MCL 333.2453

DECLARATION OF CONTINUED EMERGENCY DUE TO COVID-19  
TO ALLOW PUBLIC MEETINGS OF GOVERNMENTAL BODIES TO BE HELD REMOTELY  
UNDER PUBLIC ACT 228 OF 2020 FROM MARCH 31, 2021 to MAY 31, 2021

On March 29, 2021, I, Carol Austerberry, the Health Officer of the Wayne County Local Public Health Department, am issuing this Local Public Health Emergency Epidemic Order for the Coronavirus Disease 2019 (COVID-19) pursuant to section 333.2453 of the Public Health Code of the State of Michigan, as it has been determined that it is necessary to protect the public health from further transmission of COVID-19 within Wayne County. The jurisdiction of the Wayne County Local Public Health Department is Wayne County, except for the City of Detroit.

COVID-19 remains an imminent threat to the public throughout Wayne County. In the jurisdiction of the Wayne County Local Public Health Department, cases have been on an upward trend since mid-February, growing from 524 cases for the period of 2/14-2/20/2021 to 2,205 cases for the period of 3/14-3/20/2021, which alarmingly represents more than a 235% increase in the number of cases reported in a span of 5 weeks.

During the same five-week time period, the positivity rate for COVID-19 tests in the Wayne County Local Public Health Department's jurisdiction more than doubled, rising from 4.4% for the period of 2/14-2/20/2021 to 10.2% for the period of 3/14-3/20/2021. From the week of 3/9-3/16/2021, the state of Michigan had the highest rate of increase of COVID-19 cases in the entire country, with cases rising 53.3%. Per the Centers for Disease Control and Prevention (CDC), Michigan is currently second in the nation in the number of SARS-CoV-2 B.1.1.7 variant cases. As of March 25, 2021, there have been 69 laboratory-confirmed cases of this variant in out-Wayne County. Also, although several COVID-19 vaccines have been released and are being administered, they are not universally available or accepted at this time.

With the significant increase in confirmed new cases, the emergence and spread of the SARS-CoV-2 B.1.1.7 variant in out-Wayne County communities, and the current vaccination rates, certain in-person open meetings may pose a substantial risk to some members of the public and various governmental bodies within the Wayne County Local Public Health Department's jurisdiction.

In preparing this order, the Wayne County Local Public Health Department weighed the purpose and intent of the Open Meetings Act and its 2020 amendment to promote open, in-person meetings with the public health mandate to ensure safe access to meetings of public bodies. Over the past year, remote meetings of public bodies throughout the state have been held in accordance with the public access requirements in the Governor's former Executive Orders and then Public Act 228 of 2020, with transparency, accountability, and in some cases, greater public participation.

Therefore, I am issuing this Emergency Epidemic Order to allow public bodies to hold meetings remotely as an option from March 31, 2021 to May 31, 2021. This order also seeks to respect the goal of allowing meetings to be held in-person, when appropriate, especially when a local body evaluates its risk level based upon the rate of COVID-19 transmission in its community or communities and determines that in-person meetings may safely be held. Under this order, a local body may hold in-person meetings if it limits the size of the meeting to no more than 25 board members, or larger if compliant with state guidance issued by the Michigan Department of Health and Human Services (MDHHS). All participants attending in-person meetings must wear masks and exercise social distancing in accordance with the guidance issued by MDHHS. The most recent guidance about open public meetings was provided by MDHHS in its March 19, 2021 Guidance in FAQs about Public Meetings, which is found here: [https://www.michigan.gov/coronavirus/0,9753,7-406-98178\\_98455-555011--,00.html](https://www.michigan.gov/coronavirus/0,9753,7-406-98178_98455-555011--,00.html).

Such measures will be enforced, and any violations are subject to citation and penalties as outlined in the Michigan Public Health Code.

This order is hereby effective as of March 31, 2021 and will remain in effect until May 31, 2021 at 11:59 p.m., unless withdrawn or replaced.

This order may be revised as well as supplemented with specific procedures and orders per the Michigan Public Health Code.



Carol Austerberry, RS, MS, MPA  
Wayne County Dept. of Health, Human & Veterans Services  
Division Director/Local Health Officer

Dated: March 29, 2021