

ALLEGAN COUNTY HEALTH DEPARTMENT

3255 – 122nd Ave., Suite 200, Allegan, MI 49010

Office Administration

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Bioterrorism Preparedness

(269) 673-5411

Personal Health

(269) 673-5411

**Communicable Disease**

(269) 673-5411

Environmental Health

(269) 673-5415

Resource Recovery

(269) 673-5415

In the Matter of:

WARNING ORDER FINDING IMMINENT DANGER

TO THE PUBLIC HEALTH AND REQUIRING CORRECTIVE ACTION

This order is made pursuant to Section 2451 of the Public Health Code, being MCL 333.2451 and Section 2453 of the Public Health Code, being MCL 333.2453.

Matters of concern to the health of Allegan County citizen or citizens having been brought to the attention of the Allegan County Public Health Department, and the Health Officer having made the following determinations:

Michigan bars and restaurants reopened on June 8, 2020, at reduced capacity pursuant to [Executive Order 2020-110](#) and subject to the restrictions described in Executive Order 2020-97. On July 9, 2020, Michigan Governor Gretchen Whitmer issued [Executive Order 2020-145](#), which continued certain restrictions and placed new limitations on the operation of restaurants and bars, including but not limited to: limiting the capacity of restaurants and bars to 50% of normal seating; requiring hosts, servers, and staff to wear face coverings in the dining area; and requiring employees to wear face coverings and gloves in the kitchen area when handling food, consistent with guidelines from the Food and Drug Administration; requiring patrons to wear a face covering except when seated at table or bar top and that they remain seated at their tables or bar tops, except to enter or exit the premises, to order food or to use the restroom. On July 10, 2020, Governor Whitmer issued [Executive Order 2020-147](#), which requires individuals to wear a face covering when in any indoor public space and prohibits businesses from serving customers or allowing customers to enter their premises unless the customer is wearing a face covering as required by the order.

On July 13, 2020, Governor Whitmer issued [Executive Order 2020-149](#), continuing restrictions on food establishments, including restaurants that sell groceries or food available for takeout. On July 14, 2020, [Executive Order 2020-151](#) extended the ongoing state of emergency due to the COVID-19 pandemic through August 11, 2020.

1. A communicable disease, Coronavirus, which causes COVID-19, has been identified within Allegan County that can be transmitted from person to person.
2. In order to control and limit the spread of the Coronavirus, it is necessary to have employees and customers wear masks and adhere to other requirements as outlined in [Executive Order 2020-145](#), [Executive Order 2020-147](#), and [Executive Order 2020-149](#) and limit infected people from spreading the disease to uninfected people.
3. When a business does not adhere to these mitigation strategies as outlined in [Executive Order 2020-145](#), [Executive Order 2020-147](#), and [Executive Order 2020-149](#), it could reasonably be expected to allow for the spread of disease and create an imminent danger to public health.
4. Business Name _____

Date and Time of Inspection: _____

Specific Violations Observed:

- ☐ Capacity greater than 50 percent

Details: _____

- ☐ Mask Usage

☐ Staff: _____

Details: _____

☐ Customer: _____

Details: _____

- ☐ Other: _____

This is the ☐first violation, ☐second violation, or ☐third of violation.

5. This situation constitutes an imminent danger to the health or lives of citizens of the Allegan County.

Now, Therefore, It Is Hereby Ordered that:

- A) The business shall immediately comply with all applicable public health laws and orders, including but not limited to, [Executive Order 2020-145](#), [Executive Order 2020-147](#), and [Executive Order 2020-149](#), or any orders that follow from it.
- B) The business will submit a corrective action plan that demonstrates how it will fall into compliance within 72 hours to the Health Department. If there is a second offense, the business will be temporary closed for three business days. If there is a third offense, the health department may petition the court to require action to avoid, correct, or remove the imminent danger, which may include a request to have the business license revoked.
- C) A copy of this order shall be delivered to [the owner of the affected property];
- D) A copy of this order shall be posted in a prominent location at the affected site;
- E) These conditions constitute an imminent danger to the public health, and the Health Officer, therefore, takes full charge of the administration of state and local health laws, rules, regulations and ordinances relative to the conditions cited in this order, and shall direct further corrective actions, as required, through public health orders.

Dated: _____

Allegan County Health Officer or Designee