



New Executive Orders Lift Some Restrictions on Libraries in Northern Michigan and the UP

Laura J. Genovich and Anne M. Seuryneck

Foster Swift Legal Update E-blast

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As we previously reported, Michigan's libraries may reopen on June 8, 2020, subject to certain safeguards and restrictions. Today, Governor Whitmer issued two new executive orders – EO 2020-114, which updates the safeguards for libraries and other open businesses, and EO 2020-115, which moves Regions 6 and 8 (most of the northern Lower Peninsula and all of the Upper Peninsula) into "stage 5" of Michigan's reopening plan and lifts some restrictions in those regions.

The following changes are relevant for libraries:

1. EO 2020-114 continues to require libraries to comply with the safeguards that apply to retailers. This includes, for example, requiring patrons to wear face coverings, enforcing six feet of social distance among patrons and employees, and installing physical barriers like plexiglass barriers or tape markers. (See our prior article for more details on these requirements.)
2. Libraries in Regions 6 and 8 are not required to limit capacity based on the library's square footage. Libraries in the rest of the state still must adhere to those capacity restrictions.
3. Libraries in Regions 6 and 8 are not required to dedicate time for vulnerable patrons, such as people over 60, pregnant women, and those with chronic conditions like heart disease, diabetes, and lung disease. In the rest of the state, libraries with more than 50,000 square feet of patron floor space still must dedicate at least two hours each week to vulnerable patrons.
4. Because Regions 6 and 8 may have indoor gatherings of up to 50 people (with social distancing), libraries in those regions can hold indoor meetings, provided that social distancing is maintained and face coverings are worn by those who can medically tolerate them.

All libraries with any in-person workers (even if the library is not yet open to the public) are required to have an up-to-date COVID-19 Preparedness and Response Plan. Foster Swift can assist with providing a preparedness plan and with providing a Library Reopening Policy &

AUTHORS/ CONTRIBUTORS

Laura J. Genovich

Anne M. Seuryneck

PRACTICE AREAS

Library Law

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Plan, which will guide your library through the necessary steps to open safely.

Foster Swift's attorneys are ready to help you with any questions you have regarding this communication or how to safely reopen your business. For further questions regarding this communication, please contact:

- Anne Seuryneck. | 616.726.2240 | aseuryneck@fosterswift.com

For other questions/concerns about the COVID-19 crisis, contact your Foster Swift attorney or a member of Foster Swift's Coronavirus Task Force:

- Mid-Michigan - John Mashni | 517.371.8257 | jmashni@fosterswift.com
- Southeast Michigan - Matthew Fedor | 248.785.4734 | mfedor@fosterswift.com
- West & Northern Michigan - Laura Genovich | 616.726.2238 | lgenovich@fosterswift.com

While the information in this article is accurate at time of publication, the laws and regulations surrounding COVID-19 are constantly evolving. Please consult your attorney or advisor to make sure you have the most up to date information before taking action.

