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In-Person Public Meetings During COVID-19

March 4, 2021

FCPH has received a number of inquiries from governmental entities in its jurisdiction regarding the applicability of Ohio Department of Health's (ODH) Orders to in-person public meetings. In response, FCPH provides the following guidance in accordance with its authorization to answer questions regarding ODH Orders. However, this guidance is not intended to provide legal advice.

Mass gathering prohibition (10-person limit) does NOT directly apply. The general ten person limit is set forth in the March 2, 2021 [Ohio Department of Health Director's First Amended Revised Order to Limit and/or Prohibit Mass Gatherings in the State of Ohio, with Exceptions](#). The Order does not apply to governmental meetings (see Paragraph 5 - "Paragraph 1 does not apply to ... governmental meetings, which includes meetings that are required to be open pursuant to R.C. 121.22.>").

Social distancing and other relevant requirements DO apply. The [Director's Updated and Revised Order for Business Guidance and Social Distancing](#) and subsequent extensions, apply to governmental entities and would therefore apply to a public meeting setting (see Paragraph 6 - "For purposes of this Order, covered businesses include ... governmental entities (other than federal) regardless of the nature of the service, the function it performs, or its corporate or entity structure.>"). Therefore, the relevant requirements, such as social distancing, apply to in-person public meetings (see the [Order's general requirements as well as sector specific - focus on the services and office environmental sections for purposes of a public meeting](#)).

Facial covering (mask) requirements DO apply. Additionally, attendees of an in-person public meeting would be subject to the [Director's Order for Facial Coverings throughout the State of Ohio](#) and the Franklin County Board of Health's [Rule Requiring Facial Covering](#) and therefore required to wear masks, unless a valid exception applies.

FCPH recommends utilizing virtual meetings. Although in-person public meetings are permissible under current ODH Orders, the utilization of virtual meetings whenever possible is still strongly encouraged as authorized by [House Bill 197](#) and [House Bill 404](#).