

Requirements for Photography Businesses

In addition to the Healthy at Work [Minimum Requirements](#), **photography businesses** must meet the requirements below in order to reopen and remain open:

Social Distancing Requirements

- Photographers should avoid photographing groups outside of family units and must follow guidance for groups of 10 people or fewer or groups of 50 or fewer, whichever applies.
- Photographers should remain six feet or farther from all subjects and employ zoom settings for up-close photographs.
- Subjects who are not living in the same household must pose at least six feet or farther apart (i.e. persons living in different households should not pose next to one another).
- Photography sessions should be held outside unless an in-studio session is absolutely necessary.
- Photographers should ensure, to the greatest extent practicable, that all scheduling, communication, preview of photographs, and payments take place electronically.

Personal Protective Equipment (PPE) Requirements

- Ensure appropriate face coverings and other personal protective equipment (PPE) are used by employees whenever social distancing of less than six feet may be compromised so long as such use does not jeopardize the employees' health or safety; and
- Ensure their employees wear face coverings for any interactions between visitors and co-workers or while in common travel areas of the business (e.g., aisles, hallways, stock rooms, breakrooms, bathrooms, entries and exits); and
- Pursuant to Executive Order 2020-586 and 902 KAR 2010E, which are attached to this document, all photography businesses must ensure that all customers, vendors, contractors, and any other member of the public who enters the premises wear a face covering so long as they are not subject to any of the exemptions listed in the Executive Order.

If any person attempts to enter the photography business without a face covering, the photography business must inform them of the requirement to wear a face covering. If the individual refuses and is not subject to any of the exemptions listed in the Executive Order, the individual must not be permitted entry onto the premises.

If an individual who was previously wearing a face covering removes it while on the premises and not subject to any of the exemptions listed in the Executive Order, the photography business must ask them to put it back on. If the individual refuses to do so, the photography business must not provide them service and must ask them to leave.

Photography businesses who fail to follow these requirements of the Executive Order will be subject to a fine and may also be subject to an order from a local health department or the Labor Cabinet requiring immediate closure.

Cleaning and Disinfecting Requirements

- Develop and implement a plan and procedures to ensure the facility, including offices and workstations, are properly cleaned and ventilated routinely. For in-studio sessions, all high contact areas (e.g. doorknobs or items used to pose in photos) should be sanitized before and after each photo session.
- Encourage employees, volunteers, and attendees to frequently wash their hands and/or use hand sanitizer that should be provided by the employer or event organizer.
- Ensure cleaning and sanitation of frequently touched surfaces (e.g., doorknobs or handles, buttons, rails, rental equipment, and counter tops) with appropriate disinfectants. Appropriate disinfectants include EPA registered household disinfectants, diluted household bleach solution, and alcohol solutions containing at least 60% alcohol.
- Close areas prone to frequent touch that cannot be properly sanitized on a routine basis.
- Provide disinfecting wipes or other disinfectant at shared equipment and ensure employees wipe their workstations down with disinfectant at the end of their shift or at any time they discontinue use of their workstations/cash register for a significant period of time.
- Establish a cleaning and disinfecting process that follows CDC guidelines when any individual is identified, suspected, or confirmed COVID-19 case.

Training and Safety Requirements

- Place conspicuous signage at entrances and throughout the facility or space alerting staff and patrons or attendees to the required occupancy limits, six feet of physical distance, and face covering requirements. Signage should inform employees, volunteers, and attendees about good hygiene and new practices.
- Photography businesses, to the greatest extent practicable, implement hours where service can be safely provided to constituents at higher risk for severe illness per [CDC guidelines](#).
- Inform employees, volunteers, and attendees in groups particularly vulnerable to COVID-19 (individuals with conditions identified by the CDC as higher risk or those over 65 years old) that public health experts recommend that you continue to avoid any in-person gatherings and remain Healthy At Home.
- Ensure employees are informed that they may identify and communicate potential improvements and/or concerns without threat of retribution in order to reduce potential risk of exposure at the workplace.



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2020-996
December 3, 2020

STATE OF EMERGENCY

WHEREAS, the novel coronavirus (COVID-19) is a respiratory disease causing mild to very severe illness, including death, and many cases of COVID-19 have been confirmed in the Commonwealth; and

WHEREAS, I declared on July 9, 2020, through Executive Order 2020-586 that Kentuckians were required to wear face coverings in many public places to fight the continued spread of COVID-19 for the reasons set forth in that Order; and

WHEREAS, I renewed that Order: on August 8, 2020, through Executive Order 2020-651; on September 4, 2020, through Executive Order 2020-750; on October 6, 2020, through Executive Order 2020-856, and; on November 4, 2020, through Executive Order 2020-931; and

WHEREAS, data from the University of Oxford show an inverse correlation between the number of COVID-19 mitigation measures taken by a state, such as a face covering mandate, and the seriousness of the virus's third spike within that state;

WHEREAS, the Centers for Disease Control and Prevention conducted a study of Kansas's face covering mandate, wherein the 24 counties who complied with the mandate experienced a 6% decrease in new COVID-19 infections but the 81 counties who opted out of the mandate experienced a 100% increase in new COVID-19 cases;

WHEREAS, the Kentucky Constitution and Kentucky Revised Statutes, including, but not limited to, KRS Chapter 39A, empower me to exercise all powers necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS, under those powers, I declared by Executive Order 2020-215 on March 6, 2020, that a State of Emergency exists in the Commonwealth and the State of Emergency continues:



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2020-996
December 3, 2020

NOW, THEREFORE, I, Andy Beshear, Governor of the Commonwealth of Kentucky, by virtue of authority vested in me pursuant to the Constitution of Kentucky and KRS Chapter 39A, do hereby Order and Direct the following:

1. For the purposes of this order, a “face covering” is a material that covers the nose and mouth and is secured to the head with ties, straps, or loops over the ears, or is wrapped around the lower face. It can be made of a variety of materials, including cotton, silk, or linen, and ideally has two or more layers. Face coverings may be factory-made, homemade, or improvised from household items such as scarfs, bandanas, and t-shirts. Guidance on how to make a face covering at home is available at: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-to-make-cloth-face-covering.html>.
2. The provisions of this Order shall apply to members of the public in Kentucky. Existing sector specific requirements mandating face coverings for employees of entities in the Commonwealth remain in effect and are available online at: <https://healthyatwork.ky.gov>.
3. People in Kentucky must cover their nose and mouth with a face covering when they are in the following situations that represent a high risk of COVID-19 transmission:
 - a. While inside, or waiting in line to enter, any: retail establishment; grocery store; pharmacy; hair salon/barbershop; nail salon/spa; tattoo parlor; child care facility; restaurant or bar (when not seated and consuming food or beverage); health care setting, or; any other indoor public space in which it is difficult to maintain a physical distance of at least six feet from all individuals who are not members of that person’s household;
 - b. While waiting for or riding on public transportation or paratransit, or while riding in a taxi, private car service, or ride-sharing vehicle, or driving any of the above while customers are present; or
 - c. While in outdoor public spaces in which the person cannot maintain a physical distance of six feet from all individuals who are not members of



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2020-996
December 3, 2020

the person's household and is not otherwise covered by previously issued guidance.

4. The following are exempt from wearing face coverings:
- a. Children who are age 5 or younger;
 - b. Any person with disability, or a physical or mental impairment, that prevents them from safely wearing a face covering;
 - c. Any person who is deaf or hard of hearing and is actively communicating, or any person who is actively communicating with someone who is deaf or hard of hearing, and is able to maintain a safe distance of six feet from all individuals who are not members of that person's household;
 - d. Any person engaged in work that a state or federal regulator has concluded would make wearing a face covering a risk to their health or safety;
 - e. Any person who is seated and actively consuming food or beverage at a restaurant, bar, or other establishment that offers food or beverage service;
 - f. Any person who is obtaining a service that requires temporary removal of the face covering in order to perform the service;
 - g. Any person who is required to temporarily remove their face covering to confirm their identity or for security or screening purposes;
 - h. Any person who is giving a speech or broadcast to an audience and is able to maintain a safe distance of six feet from all individuals who are not members of the person's household;
 - i. Any person who is in a swimming pool, lake, or other body of water;
 - j. Any person who is exempt from wearing a face covering under guidance provided by the



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2020-996
December 3, 2020

Kentucky High School Athletics Association or under guidance for athletic activities at institutions of higher education;

- k. Any person who is engaged in a lawful activity where federal or state law prohibits wearing a face covering.
5. Failure to follow the requirements provided in this Order and any other Executive Order and any Cabinet Order, including but not limited to the Orders of the Cabinet for Health and Family Services, is a violation of the Orders issued under KRS Chapter 39A and must result in a loss of access to a business's services. Failure to follow the requirements could also subject a person or entity to penalties as authorized by law.
6. All local, county, and city government offices and agencies are encouraged to adopt or incorporate the requirements provided in this Order.
7. Nothing in this Order should be interpreted to interfere with or infringe on the powers of the legislative and judicial branches, or other constitutional officers to perform their constitutional duties or exercise their authority. However, the legislative and judicial branches, and other constitutional officers, are encouraged to adopt or incorporate the requirements provided in this Order.
8. This Order is effective at 5:00 p.m. on December 3, 2020, for a period of 30 days, and is subject to renewal.



ANDY BESHEAR, Governor
Commonwealth of Kentucky



MICHAEL G. ADAMS
Secretary of State

RECEIVED AND FILED

DATE

12/4/2020

MICHAEL G. ADAMS
SECRETARY OF STATE

COMMONWEALTH OF KENTUCKY

BY

Sarah M. Dungen