



SUMMIT COUNTY PUBLIC HEALTH

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MAY 26, 2020

AMENDED AND RESTATED STANDING PUBLIC HEALTH ORDER
REGARDING THE COVID-19 PANDEMIC
FOR SUMMIT COUNTY, COLORADO

1. Purpose, Effective Area. This Amended and Restated Public Health Order is being issued to limit the health impacts of COVID-19. This Order sets forth requirements for group gatherings and additional guidance to slow the spread of COVID-19. This Order is effective within the entirety of Summit County, including all towns within the County.

2. Effective Date and Time, Limitations. The Public Health Order will become effective at 12:01 a.m. on May 27, 2020, unless otherwise specifically provided for herein, and will remain in effect until 11:59 p.m. June 30, 2020, unless extended, rescinded, superseded, or amended in writing.

3. Findings and Intent. There is clear evidence that some individuals who contract COVID-19 have no symptoms or have very mild symptoms, which means they are likely unaware they carry the virus. Because asymptomatic individuals can transmit the disease, and because evidence shows the disease is easily spread, gatherings of people facilitate transmission of COVID-19.

The Public Health Director further finds that the presence of visitors, if unregulated, will impose unnecessary burdens on the health care system, public services, first responders, food supplies and other essential services during the ongoing COVID-19 pandemic and may introduce increased illness into the community.

The Public Health Director further finds that due to the licensing requirements, certifications, standard safety precautions, and requirements for expertise imposed by the State of Colorado and other regulatory bodies upon Personal Services providers, those providers are allowed to operate as provided pursuant to this Order.

The intent of this Order is to minimize contact among individuals and their exposure of the public to COVID-19 while lifting some of the existing restrictions on social, civic, businesses and commercial activities.

4. Legal Authority. This Order is adopted pursuant to the legal authority set forth in sections 25-1-506 and 25-1-508, 25-1-509, Colorado Revised Statutes as well as all other

applicable laws, rules, regulations, orders and declarations. Under this authority, the Summit County Public Health Director has the duty to investigate and control the causes of the epidemic or communicable diseases and conditions affecting public health; to establish, maintain, and enforce isolation and quarantine; to exercise physical control over the property and over the persons of the people within the territorial limits of Summit County; and to prohibit the gatherings of people to protect the public health; all as the Public Health Director may find necessary for the protection of the public health. Issuance of this Order is deemed reasonable under the existing circumstances and necessary for the immediate preservation of the public health, safety and welfare.

5. Most Restrictive Standard Controls. To the extent any State and/or Federal orders or laws are more restrictive than what is set forth herein, such orders control. Individuals should be aware that new orders from Governor Polis and the Colorado Department of Public Health and Environment (CDPHE) are being issued on a regular basis, and all members of the public are responsible for following the Governor’s orders, CDPHE orders, and local orders. The more restrictive Summit County provisions expressly provided below shall control.

6. Incorporation of State Orders. All Executive Orders issued by the Governor and all CDPHE Public Health Orders are hereby adopted and deemed incorporated herein. This Amended and Restated Public Health Order is intended to clarify and harmonize this Summit County Public Health Order with all of the State’s orders.

For purposes of this order, the term “Physical Distancing Requirements” shall have the same meaning as the State defined term “Social Distancing Requirements”.

7. Compliance with State Orders. In order to safely open and operate, the following businesses and entities as defined by the State: Critical Businesses, Critical Government Functions, non-Critical Office-Based Businesses, Personal Services, Limited Healthcare Setting, and Non-Critical Retail must comply with all Executive Orders issued by the Governor and all CDPHE Public Health Orders applicable to such operations.

8. Five Commitments of Containment. Preventing a resurgence of COVID-19 in Summit County requires all individuals and businesses to comply with the mandatory provisions of this Order. In addition, all persons in Summit County are requested to assume additional personal responsibility and adopt the Five Commitments of Containment to keep transmission of illness low. These are:

- a. I will maintain six feet of physical distance from other individuals.
 - i. Physical distance is one of the most effective prevention measures.
 - ii. I will keep this distance from any person who is not from my household.
- b. I will wash my hands often and for at least 20 seconds.
 - i. Hand washing is especially important after visiting public settings and businesses and before eating or touching my face.

- c. I will cover my face in public.
 - i. I will wear a face covering whenever I am outside and may not be able to maintain 6 feet of physical distance from others.
 - ii. I will wear a face covering whenever I am in indoor areas open to the general public.
 - iii. Face coverings are not a substitute for maintaining physical distance.
- d. I will stay home when I am sick
 - i. Isolating myself from others, including household members, will help protect them and limit the spread.
- e. I will get tested immediately if I have COVID-19 symptoms.
 - i. Testing early after COVID-19 symptoms develop can provide valuable information to help prevent spreading COVID-19 to other people and to inform public health officials about the extent of disease spread in the community.

9. Limitations on the Sale of Food and Beverages, Including Liquor, Beer and Wine.

a. In accordance with existing State of Colorado Executive and Public Health Orders the sale of food and beverages in Summit County, including liquor, beer and wine, is limited to carry-out and delivery only, subject to all other applicable licensing and regulatory requirements, except to the extent on-site dining is specifically authorized by the terms and conditions of the Governor’s Executive Order D 2020 079 issued on May 25, 2020, and corresponding CDPHE Public Health Order which are incorporated herein.

b. The on-site consumption of food or beverages is not prohibited at a business or institutional facility where such food or beverages is prepared for workers of the facility so long as such food or beverage is consumed at a location reasonably distant from the point of sale and all applicable Physical Distancing Requirements are followed.

c. Restaurants open for on-site dining, shall maintain the following information for all employees:

- i. Current contact information for all employees,
- ii. Current work schedules for employee since re-opening for on-site dining, and
- iii. Other known places of employment.

10. Limitations on Establishments Providing Retail Goods and Services.

a. Non-Critical Retail may continue to operate at fifty percent (50%) capacity or less for in-person services if the establishments meets the following standards:

- i. All requirements in the CDPHE Amended Public Health Order 20-28 titled Safer at Home and any superseding CDPHE Public Health orders.
- ii. All requirements in the Summit County Business Physical Distancing Protocol, including posting of the Physical Distancing Protocol Form at or near the entrance of the establishment, and the wearing of face coverings by all customers and employees.
- iii. The number of customers in the store at any one time is limited to a maximum of 1 person per 100 square feet of retail area, and
- iv. All individuals, including customers and employees, maintain at least 6 feet of distance from one another to the greatest extent possible.

11. Physical Distancing Protocol (formerly known as Social Distancing Protocol).

a. Personal Services (as defined by the State) shall, prior to performing services, complete the online Summit County Business Physical Distancing Protocol Form (formerly titled Summit County Business Social Distancing Protocol). The completed form must be posted at or near the entrance of the Personal Services establishment and shall be easily viewable by employees, customers and others on site. The completed form must also be posted on the establishment's website, if applicable.

b. Critical Businesses, Critical Government Functions, Non-Critical Office-Based Businesses, Limited Healthcare Settings and Non-Critical Retail shall complete the online Summit County Business Physical Distancing Protocol form (formerly titled Summit County Business Social Distancing Protocol) prior to opening if allowed to open pursuant to this Order or previous Orders.

The completed form must be posted at or near the entrance of the establishment and shall be easily viewable by employees, customers and others on site. The completed form must also be posted on the establishment's website, if applicable.

c. Personal Services, Critical Businesses, Critical Government Functions, Non-Critical Office-Based Businesses, Limited Healthcare Settings and Non-Critical Retail must comply with the Summit County Business Physical Distancing Protocols as well as all applicable Governor's order, CDPHE orders, DORA and State rules, regulations and guidance.

12. Limitations on Transportation Services.

a. For purposes of this Order, "transportation services" shall include all transportation services open to the public including the Summit Stage, Breckenridge Free Ride, mountain shuttle services to the extent they operate in Summit County (*e.g.* Colorado Mountain Express, Peak 1 Express), and ride-sharing services (*e.g.* Uber, Lyft). Transportation services does not include ambulances, paratransit services (*e.g.*, Mountain Mobility), or the scheduled transport of convalescent patients and individuals with disabilities.

b. The Summit Stage and Breckenridge Free Ride may resume service with buses limited to 20% capacity. Appropriate Physical Distancing Requirements and other administrative operational directives and permissions may be issued by the Summit County Public Health Department; members of the same household may sit together. The Summit County Transit Department may also maintain paratransit services while maintaining the appropriate Physical Distancing Requirements among individuals who are not members of the same household.

c. All transportation services riders and operators must wear face coverings at all times and follow appropriate Physical Distancing Requirements to the greatest extent possible.

d. All other transportation services may commence operations on May 27, 2020, and must comply with Summit County Physical Distancing Protocols as well as all applicable CDPHE guidance.

13. Limitations on Short-Term Lodging.

a. For purposes of this Order, “short-term lodging” shall include but is not limited to campgrounds (whether private or government operated), reserved camping sites, hotels, motels, and short term lodging accommodation rentals of 30 days or less (e.g., Airbnb, VRBO, timeshares, RV parks, bed and breakfasts, condo-tels, lodges and retreats).

b. All short term lodging operations are prohibited from operating from the date of this Order through May 31, 2020. Short term lodging operators must block out their online reservation calendars on all relevant platforms through May 31, 2020 in order to avoid taking reservations for stays that would occur during the prohibited time period.

c. All short term lodging units must be vacated through May 31, 2020.

d. Exception: If a short-term lodging unit is occupied by a local worker, that worker may remain in the unit.

e. Exception: If individual(s) are experiencing symptoms of illness, or are under a quarantine or isolation order from Summit County Public Health, or have other good cause to do so they may remain in any short term lodging unit occupied by such individual(s) and shall be exempt from the limitations set forth herein so long as such individual(s) remain in the unit.

f. Beginning June 1, 2020, short term lodging operations may commence in Summit County. Provided, however, to the extent the State of Colorado has continued its prohibition of short term lodging accommodation operations beyond May 31, 2020, regarding private, short-term rentals such as those arranged through an online hosting platform, including but not limited to VRBO or Airbnb, homeowner rentals, condo-tels, timeshares and privately owned residences (in whole or in part) for rent that are rented for a period of 30 days or less (except if offered for use for the public health response) such operations are prohibited until authorized to re-open by the State. Such private, short term rentals that are prohibited from operating by the State of

Colorado must block out their online reservation calendars on all relevant platforms through the State prohibition of such short term rentals in order to avoid taking reservations for stays that would occur during the prohibited time period.

g. All lodging operations must comply with the cleaning protocols and operational restrictions contained in the attached Appendix 1.

h. Lodging operators shall maintain the following information for all employees:

- i. Current contact information for all employees,
- ii. Current work schedules for employee since re-opening, and
- iii. Other known places of employment.

14. Childcare Requirements for Children of Local Workforce. Effective May 11, 2020, childcare facilities have been authorized to provide services for children of those parents or guardians allowed to work pursuant to the applicable state and local public health orders. To the extent possible, and in accordance with existing law, childcare facilities must operate under all guidance and recommendations from CDPHE regarding best practices to prevent the spread of COVID-19.

15. Construction Site Health Protection. All construction activities must adhere to the Summit County Building Department COVID-19 Policies and Procedures or the equivalent document within the specific jurisdiction in which construction is being performed.

16. Isolation and Quarantine Requirements for Symptomatic Persons and Exposures

a. For purposes of this Order, the following definitions shall apply:

- i. “Self-Isolate” is specific to a person with illness and means to stay at home, maintain distance (minimum of 6 feet) away from other household members, do not share a bedroom or bathroom, wear a mask to cover your mouth and nose when in common areas within the household, and do not leave the home unless seeking medical care.
- ii. “Self-Quarantine” is specific to a person who does not have symptoms but has been exposed to someone confirmed to have COVID-19 or who is experiencing symptoms, and means to stay home, do not go to public places unless seeking medical care, and avoid contact with other people until the incubation period for COVID-19 is over, for 14 days.

b. Individuals experiencing symptoms of COVID-19 must Self-Isolate as defined in Section 16(a), above, for a minimum of ten (10) days from the start of symptoms AND 72 hours until fever free (without the use of any fever-reducing medications), PROVIDED that such symptoms are significantly improving. This obligation to self-isolate includes people that have

tested positive, people awaiting their test results, and people who have symptoms but have not been tested.

c. Individuals in close contact with someone with confirmed COVID-19 disease, or a person who has symptoms consistent with COVID-19 but who has not been tested, must Self-Quarantine, as defined in Section 16(a), above, for 14 days at their place of residence. For healthcare workers and others responding to the COVID-19 pandemic, Summit County Public Health will provide more specific guidance.

d. Employers do not need to and should not require negative test results or a medical release for anyone that has completed the Self-Isolation requirements in subsection 16(b), above, or the Self-Quarantine requirements in subsection 16(c), above, each as applicable.

e. In the event an employee has confirmed COVID-19 or has symptoms but was not tested, employers should not require testing for any other employees as a condition of employment.

f. Employers should not otherwise require a negative test result as a condition of employment.

17. Additional Information, Recommendations and Requirements for all Persons.

a. Events: The Public Health Director strongly recommends that residents and visitors cancel or avoid all non-essential events, regardless of size, where appropriate Physical Distancing Requirements and preventative measures may not occur.

b. Face Coverings: Individuals must wear face coverings that cover nose and mouth whenever:

- i. in indoor areas open to the general public or
- ii. outdoors whenever at least 6 feet of separation cannot be maintained among all individuals.
- iii. exceptions: cloth face coverings do not need to be worn by persons who are consuming food or beverages, young children under age 2 or persons with medical conditions that make it difficult to breathe.

In order to ensure that sufficient supplies of medical face masks are available to health care workers, members of the public are strongly encouraged to use non-medical cloth face coverings, unless a medical face mask is medically necessary.

c. Ski Areas: All alpine ski areas in Summit County may reopen on May 27, 2020, for alpine skiing, only with approval of a skiing operational plan by the Summit County Public Health Department. All other summer base area recreational activities will remain closed in order to limit the spread of COVID-19. This ongoing closure does not prohibit base area retail or restaurant operations.

d. Schools: In accordance with Governor Polis' Executive Order D 2020 007, as amended, all public and private elementary and secondary schools, including public preschools on public school campuses shall remained closed through the end of the 2019-2020 regular school year.

e. Importance of Public Actions: These actions are some of the most available and effective tools to help slow the spread of the virus in our community and, importantly, to reduce the number of potential deaths caused by COVID-19. By slowing the spread, we have a chance to protect our family, friends, and neighbors who are at risk for severe illness. In particular, this includes all adults over age 65 and anyone with an underlying health condition.

These actions will limit the cascading impacts on critical services due to high absenteeism if large numbers of workers become ill. This Order and the actions required or recommended herein will help hospitals, first responders, and other health care services continue to provide services for those who need them (along with utilities, human services, and businesses) in the coming weeks and months. Collective action can save lives and is in support of the most vulnerable in our community. The more united we can be in preventing the spread, the greater the benefit for the whole community.

18. Penalties. Failure to comply with this Order is subject to the penalties contained in Section 25-1-516 and 18-1.3-501, Colorado Revised Statutes, including a fine of up to five thousand (\$5,000) dollars and imprisonment in the county jail for up to eighteen (18) months.

By: AMY WINELAND
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