March 8, 2021

STANDING PUBLIC HEALTH ORDER
ADOPTING COLORADO'S STATEWIDE COVID-19 DIAL DASHBOARD

This Order:

- Supersedes the Replaces all prior Standing Public Health Order of Eagle County's Department of Public Health and Environment ("ECPHE").

- Adopts and Implements the State of Colorado's Public Health Order 20-36, COVID-19 Dial, dated November 2, , 2020 and as amended through the First Amended Public Health Order 20-36 COVID-19 Dial dated November 17, 2020, the Second Amended Public Health Order 20-36 COVID-19 Dial dated November 20, 2020, the Third Amended Public Health Order 20-36 COVID-19 Dial dated December 7, 2020, the Fourth Amended Public Health Order 20-36 COVID-19 Dial dated January 4, 2021, the Fifth Amended Public Health Order 20-36 COVID-19 Dial dated February 3, 2021, the Sixth Amended Public Health Order 20-36 COVID-19 Dial dated February 5, 2021, the Seventh Amended Public Health Order 20-36 COVID-19 Dial dated February 12, 2021, and the Eighth Amended Public Health Order 20-36 COVID-19 Dial dated March 7, 2021 (collectively "Statewide Order").

- Adopts certain provisions that are stricter, are unique to Eagle County, or otherwise clarifies the Statewide Order for our local community.

Pursuant to section 25-1-506 (2)(a)(I), Colorado Revised Statutes, this Standing Public Health Order ("Order") is effective as of February 16, 2021 within the entirety of Eagle County, including all towns within the County, until further modified or rescinded by future order.

The official and essential functions or training activities of health care operators, utilities, law enforcement, fire prevention and response, emergency management and response, and any other critical public or governmental functions that are necessary to ensure public health, safety, and welfare are exempt from any provisions of this Order that would unreasonably restrict or preclude the necessary activity. Such activities should include social distancing and disease prevention measures to the extent practicable.

This Order is adopted pursuant to the legal authority set forth in sections 25-1-506 and 25-1-508, Colorado Revised Statutes. Under these laws, the Director of ECPHE has the duty to investigate and control the causes of epidemic or communicable diseases and conditions affecting public health and to establish, maintain, and enforce isolation and quarantine, and in pursuance thereof, and for this purpose only, to exercise physical control over property and over the persons of the people within the jurisdiction of the agency as may be necessary for the protection of the public health. All persons in Eagle County, including in all towns, must follow the requirements stated herein.

Where this Order or applicable guidance of Eagle County conflicts with an order or guidance provided by the State of Colorado as to COVID-19, the stricter provision or guidance shall apply.

I. BACKGROUND AND PURPOSE

The Colorado Department of Public Health and Environment ("CDPHE') had issued three prior public health orders (Public Health Orders 20-22, 20-24, and 20-28), inclusive of multiple amendments. Eagle County, like many other counties, had requested several exemptions from certain provisions of both executive and public health orders. This process led to a patchwork of varying orders throughout the state.

Eagle County worked closely with the CDPHE and the Governor's Office to develop a statewide comprehensive dial dashboard, which was reflected in the Order 20-35 released on October 27, 2020 , and amended by Order 20-36 released on November 2, 2020 and further amended by the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth Amendments identified above, and includes a risk assessment for each of the state's 64 counties. The Statewide Order is meant to create consistency for expectations and goals among all counties, while allowing a measure of local control in tailoring public health policies. The Statewide Order is intended to provide consistent tracking of disease trends and subsequent messaging to the communities throughout the state to eliminate confusion created by a patchwork of multiple orders.

The Statewide Order and it's dial dashboard rely on three key metrics, including disease incidence rate, percentage of countywide COVID-19 tests that come back positive, and the number of hospitalizations for COVID-19, to generate a color-coded risk assessment. Each level further determines the activities and capacity limits based on the risk within each county.

The Purpose of this Order is to adopt the Statewide Order and provide additional orders specific to the Eagle County community.

II. DEFINITIONS

For purposes of this Order:

"Symptoms" are the symptoms of COVID-19 infection, and can include headache, sore throat, fever, dry cough, inability to taste and smell, shortness of breath, ear aches, body aches, diarrhea, fatigue, vomiting, and abdominal pain.

"Self-Isolate" is specific to a person with illness and means to stay at home, maintain distance (minimum of six feet) away from other household members, do not share a bedroom or bathroom, wear a Face Covering to cover your mouth and nose when in common areas within the household, and do not leave the home unless seeking medical care.

"Self-Quarantine" is specific to a person who is not fully vaccinated, 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 quarantine period is over.

"Group" means a gathering of up to and including the allowable number of persons who are appropriately distanced amongst themselves and otherwise in accordance with the requirements of this Order.

"Local Residents" are those persons whose primary and permanent home or residence is in Eagle County, or those persons who, for at least 30 days at a time, own, maintain, or live in a home or residence in Eagle County.

"Event" means any gathering that exceeds 10 people and/or two households when not otherwise regulated as a specific sector or activity in Section III of the Statewide Order, excluding Section (M)(Indoor and Outdoor Events). All allowable Indoor and Outdoor Events as those terms are defined in the Statewide Order and all Events as that term is defined herein are required to obtain a written permission/authorization letter as set forth in Section III(F) below. Nothing in this section prohibits the gathering of members exceeding this number if all individuals reside in the same residence.

"Face Covering" means a uniform piece of material or mask that securely covers a person's nose and mouth and remains affixed in place without the use of one's hands.

III. ORDER

A) STATEWIDE ORDER ADOPTION

The Statewide Order is hereby adopted in its entirety as an Eagle County Standing Public Health Order. Said Statewide Order can be found at https://covid19.colorado.gov/. Eagle County has seen a decrease in COVID-19 spread in the community over the past four weeks, with an incidence rate lower than 300/100,000 for more than 7 consecutive days. As a result Eagle County will be moving to Level Yellow on the state dial.

B) FIVE COMMITMENTS OF CONTAINMENT

Preventing a resurgence of COVID-19 in Eagle County requires all individuals and businesses to comply with the mandatory provisions in this Order and the Statewide Order. Accordingly, Eagle County strongly recommends that all persons assume additional responsibility and employ the *Five Commitments of Containment* to keep transmission of the illness low. These are:

1. I will maintain six feet of physical distance.
    a. Keeping physical distance is one of the most effective prevention measures.
    b. This includes any person who is not from my household.

2. I will wash my hands often.
    a. Especially after visiting public settings, businesses, and before eating or touching my face.

3. I will cover my face in public.

a. Face coverings are NOT a substitute for maintaining 6 feet of physical distance in any public environment.
b. Face coverings are REQUIRED when entering any place of business, an event, or public indoor environment (e.g. retail store, grocery store, post office, library, other government buildings, theaters, etc.).
c. As a general rule, masks are not required in an outdoor environment UNLESS you are in a densely populated public outdoor space, an event, or you cannot consistently maintain 6 feet of physical distance from non-household members for 15 minutes or longer.

4. I will stay home when I am sick.
    a. Isolating from others, including household members, will help protect them and limit the spread.
    b. Staying home also prevents the spread to co-workers, friends, or neighbors.

5. I will get tested immediately if I have Symptoms.
    a. Testing is a key strategy to help contain the virus.
    b. The earlier you know, the fewer people you will spread it to.

C) Isolation and Quarantine Requirements for Symptomatic Persons and Exposures

1. In addition to those requirements and recommendations contained in the Statewide Order, individuals experiencing Symptoms of COVID-19 must Self-Isolate, as defined in Section II above, for a minimum of ten (10) days from the start of Symptoms AND until they are fever free for a minimum of 24 hours (without the use of any fever-reducing medications) AND as long as Symptoms are significantly improving. This includes people that have tested positive, people awaiting their test results, and people who have Symptoms but have not been tested. Individuals experiencing Symptoms should contact a local healthcare provider for guidance and to schedule COVID-19 testing as quickly as possible.

2. Individuals with a close contact 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 II above, at their place of residence. A close contact is a household member, intimate partner, or someone who has been within six feet of a person that is sick for 15 minutes or longer.

3. Individuals must comply with ECPHE's case and outbreak investigations, including, without limitation, providing names and contact information for other persons that have COVID-19 or were a close contact of someone with COVID-19, or any other information necessary for ECPHE to investigate and control the spread of COVID-19.

D) Special Provisions for Non-Local Residents Visiting Eagle County

1. Any person that is not a Local Resident who travels to or visits Eagle County ("non-Local Resident") must be free of any Symptoms consistent with COVID-19 before arrival.

2. Any non-Local Resident with symptoms consistent with COVID-19 in the 14 days prior to arrival in Eagle County must not travel to Eagle County.

3. Any non-Local Resident that has been exposed to someone confirmed to have COVID-19 in the 14 days prior to arrival in Eagle County must not travel to Eagle County.

4. All non-Local Residents will self-screen for Symptoms each morning during their travel within Eagle County.

5. All non-Local Residents that develop Symptoms consistent with COVID-19 during their travel within Eagle County will:
    a. Adhere to Self-Isolation requirements in Section III(C)(1) above, even if this prolongs their stay in Eagle County at the traveler's expense.
    b. Contact a local healthcare provider for guidance and to schedule COVID-19 testing as quickly as possible.

6. All non-Local Residents that have been exposed to someone with Symptoms consistent with COVID-19 during their travel will:
    a. Adhere to the Self-Quarantine requirements in Section (III)(C)(2) above, even if this prolongs their stay in Eagle County and at the traveler's expense.
    b. If Symptoms consistent with COVID-19 develop during the quarantine period, the traveler must follow the requirements outlined in Section (III)(C)(1), above.

E) <u>Face Coverings Required for Those Over the Age of Two</u>

1. In addition to those requirements and recommendations contained in the Statewide Order and any applicable Executive Orders, the following shall apply in Eagle County:
    a. All individuals over the age of two years old <u>must</u> wear Face Coverings when entering and inside any place of business, event, or public indoor environment, such as a retail store, grocery store, post office, library, government building, theater, and the like.
    b. All individuals over the age of two that are at a restaurant and within 6 feet of someone from a different party with the exception of 2.f. below.

2. Exception - Face Coverings are not required:
    a. When in public outdoor spaces unless six feet of physical distance from non-household members cannot be maintained over a period of 15 minutes or longer.
    b. Face coverings may be temporarily removed, such as when eating or drinking, provided that social distancing is maintained between members of different parties.
    c. For persons under two years of age.

d. For individuals who are hearing impaired or otherwise disabled or who are communicating with someone who is hearing impaired or otherwise disabled and where the ability to see the mouth is essential to communication.
e. For child care centers or summer camps where state or Eagle County Industry Specific Guidance provides otherwise.
f. When actively eating or drinking within a restaurant or bar, provided that social distancing is maintained between members of different parties.
g. Where wearing a Face Covering would inhibit an individual's health due to an existing health condition.
h. When receiving personal or health services that require access to the mouth or nose, including but not limited to dentistry or dermatology.
i. When an individual is exercising alone, with others from their household, or when a face covering would interfere with the activity or safety equipment that should be worn during the activity.
j. Within an indoor workplace setting when the general public is not present AND persons can maintain at least 6 feet of physical distance from other people at all times.
k. Individuals who are giving a speech for broadcast or an audience and can maintain 25 feet of distance from guests or attendees.

F) Events

1. The Statewide Order prohibits private or personal gatherings of more than 10 people and more than 2 households. .
2. All Events must be approved by ECPHE.
   a. Applications must be submitted with a Social Distancing Protocol or COVID-19 Policy.
   b. Applications must document how requirements of state public health order and event guidance for indoor and outdoor venues will be met.
   c. All Events must have a written permission/authorization letter available for inspection by any ECPHE official or law enforcement officer at all times. Failure to have such written permission/authorization letter will be considered a violation of this Order and may result in all enforcement remedies, including fines, citations, and the immediate closing of such Event.
   d. Applications can be submitted through the Eagle County Covid-19-Safe Events Form. Email covidsafeevents@eaglecounty.us with questions.

G) General Provisions Applicable to Businesses in Eagle County

1. Subject to the requirements and limitations of this Order and the Statewide Order, businesses and facilities in Eagle County may remain open or reopen, provided:
   a. All open businesses must comply with applicable requirements of the Statewide Order.
   b. All open businesses must report any suspected or confirmed clusters of illnesses among employees where Symptoms, as defined in Section II above, are consistent with COVID-19 to ECPHE at 970-235-0187 or diseaseprevention@eaglecounty.us.

c. All open businesses must comply with case and outbreak investigations, including but not limited to providing names and contact information for employees, customers, or guests that have COVID-19, were a close contact to someone with COVID-19 or otherwise requested by ECPHE to investigate and control the spread of COVID-19.
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 Section III(C)(1), above, or the Self-Quarantine requirements in Section III(C)(2), above, each as applicable.
e. Employers should not recommend testing for other employees without consultation with ECPHE, or otherwise require a negative test result as a condition of employment.
f. All open businesses that take reservations from or otherwise serve non-Local Residents (including hotels, short term rentals, other lodging, outdoor recreational guides, and the like) must inform the non-Local Resident customers, guests, or attendees about the restrictions in this Order, including by:
    i. Providing all guests with information about the Five Commitments of Containment.
    ii. Explaining the Special Provisions for Visitors in Section III(D), above.
    iii. Providing notice of the Special Provisions for Visitors to non-Local guests in advance of their visit to Eagle County where possible to do so.
g. Employers are strongly encouraged to allow employees to work remotely where possible, and to adopt policies for paid sick leave if the employee is lab-confirmed with COVID-19.
h. All open businesses and facilities must create and implement a Social Distancing Protocol or COVID-19 Policy that addresses how the business will comply with all industry-specific guidance and social distancing and disease prevention requirements set forth in this Order and the Statewide Order.
i. The Social Distancing Protocol or COVID-19 Policy must address and require the following social-distancing and disease prevention measures:
    i. Employees must be screened for COVID-19 Symptoms each day and excluded if symptomatic.
    ii. Employers must ensure that employees, customers, attendees and guests comply with Face Covering requirements set forth in this Order and the Statewide Order.
    iii. Employers must ensure that employees, customers, attendees and guests can easily maintain a minimum six-foot distance from each other. Achieving adequate social distance may require limiting the number of persons who can enter or participate in a business or facility at any one time.
    iv. Persons may be within six feet for momentary circumstances to accept payment, deliver goods, walk past, or perform otherwise necessary tasks.
    v. Persons may be within six feet where the nature of the business makes closer proximity to a person necessary, such as in the provision of personal services.
    vi. Household members do not need to maintain six feet of distance amongst themselves, but still must maintain the required distance from others.
j. The Social Distancing Protocol or COVID-19 Policy must be provided to each employee performing work at the facility. Businesses are not required to provide a copy of the Social Distancing Protocol or COVID-19 Policy to Eagle County unless specifically requested.

k. Upon demand by ECPHE or any authority forcing this Order, all employers or facility operators must provide the Social Distancing Protocol or COVID-19 Policy, evidence of its implementation, and any other information the Director of ECPHE deems relevant to the issue of compliance with this Order.
l. Businesses that fail to strictly comply with this Order or the Statewide Order may not be allowed to operate and may be subject to immediate closure by Eagle County Public Health and Environment.
m. Businesses may impose additional, reasonable social distancing and COVID-19 disease prevention measures as a requirement for employees, customers, guests, or attendees to enter or participate in their businesses or facilities. Businesses may deny entry to or otherwise refuse to serve individuals who refuse to comply with such additional requirements, subject to federal and state laws.
n. Employers are encouraged to make safer accommodations, including tele-work, where possible for employees at greater risk of severe disease from COVID-19 (aged 65 years or older or have chronic lung disease, moderate to severe asthma, serious heart conditions, are immunocompromised, are pregnant, or are otherwise considered at high risk by a licensed healthcare provider).
o. Where lines may form at a facility, six-foot increments at a minimum must be marked on the ground or floor establishing where individuals should stand to maintain adequate social distance.
p. Signs at the entrance of a facility must be posted informing all employees and customers that they should: avoid entering the facility if they have a cough or fever; maintain a minimum six-foot distance from one another; wear a face covering while in indoor public spaces; sneeze and cough into one's elbow or a tissue when a face covering is not in place; and not shake hands or engage in any unnecessary physical contact.
q. Hand sanitizer, soap and water, or effective disinfectant must be made available at or near the entrance of the facility and in other appropriate areas for use by customers, attendees, guests, the public, and employees, and in locations where there is high-frequency employee interaction with members of the public (e.g. cashiers).
r. Contactless payment systems should be provided, or, if not feasible to do so, all payment portals, pens, and styluses must be disinfected after each use.
s. Other high-touch surfaces should be regularly disinfected and environmental cleaning guidelines from the US Centers for Disease Control and Prevention (CDC) must be followed (e.g., clean and disinfect high touch surfaces daily or more frequently).
t. Vehicles, other than those used for public transit or emergency response, that transport multiple employees of a business or its guests or attendees are a higher-risk environment. To reduce the risks of COVID-19 exposure, the following requirements apply:
    i. Employees, guests, and attendees must use hand sanitizer upon entering the vehicle.
    ii. All occupants must wear a Face Covering when in vehicles that contain more than one person.
    iii. The number of passengers must be limited to 50% of a vehicle's occupancy to increase the distance between passengers to the largest extent possible.
    iv. Windows must remain open and/or ventilation must be increased.
    v. Vehicles must have high-touch surfaces disinfected daily.

H) Industry- Specific Guidance

1. Where provided, all businesses or services must comply with additional industry specific guidance, which may provide clarification on certain aspects of social distancing or other requirements in this Order.
    a. ECPHE industry specific guidance
    b. CDPHE industry specific guidance

IV. GENERAL INFORMATION FOR ALL PERSONS AFFECTED BY THIS ORDER

ECPHE is tasked with protecting the health and welfare of the citizens of Eagle County, Colorado by investigating and controlling the causes of epidemic and communicable disease. This Order is necessary to control any potential transmission of disease to others. See section 25-1-508, Colorado Revised Statutes. Immediate issuance of this Order is necessary for the preservation of public health, safety, or welfare.

Any person aggrieved and affected by this Order has the right to request judicial review by filing an action with the Eagle County District Court within 90 days of the date of this Order, pursuant to section 25-1-515, Colorado Revised Statutes. However, you must continue to obey the terms of this Order while your request for review is pending.

Should resurgence of COVID-19 appear likely based on a failure to adhere to this Order or to employ the Five Commitments of Containment, additional restrictions may be reinstated.

Regular updates on the county's response to COVID-19 are being shared at www.EagleCountyCovid.org. The county's forum for community discussions is at www.facebook.com/OneValleyVoice. Those with additional questions can email covidquestions@eaglecounty.us or call 970-328-9750.

FAILURE TO COMPLY WITH THIS ORDER IS SUBJECT TO THE PENALTIES CONTAINED IN SECTIONS 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 MONTHS. EAGLE COUNTY PUBLIC HEALTH AND ENVIRONMENT ALSO RESERVES THE RIGHT TO SEEK ANY OTHER REMEDIES AVAILABLE BY LAW.

Heath Harmon
Public Health & Environment Director

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