

**STANDING PUBLIC HEALTH
ORDER**

Seventh Notice of Public Health Order

“Safer at Home”

FIFTH ADDENDUM

JULY 29, 2020

PURPOSE AND INTENT:

The purpose and intent of this Fifth Addendum is to add clarity to Pitkin County’s existing Seventh Amended Notice of Public Health Order issued May 9, 2020, its first Addendum dated May 27, 2020, Second Addendum dated June 3, 2020, Third Addendum dated June 26, 2020 and Fourth Addendum dated July 10, 2020, and to incorporate into the Fifth Addendum certain clarifications in the ability to conduct activities heretofore either prohibited or allowed with restrictions.

On March 12, 2020, Pitkin County declared a Local Disaster Emergency related to COVID-19. On March 10, 2020, the Governor of Colorado declared a state of emergency related to the presence of COVID-19 in the State. On March 13, 2020, the President of the United States declared a National Emergency due to COVID-19. Under the stay-at-home orders that were in effect March 23-May 8, 2020 Pitkin County was effective in flattening the curve and reducing spread of COVID-19 in the community. Since the loosening of state and local restrictions since May, there has been an increase in the number of cases locally and statewide, which have prompted the state to close bars and enact a mandatory face-covering order. Locally, Pitkin County has provided guidance to businesses and other sectors in order to operate as safely as possible, has hired a contact tracing and case investigation team, a consumer and employee protection team, a communications lead, subject matter experts and epidemiologists to bolster the efforts to understand, monitor, and guide the COVID response.

The age and health condition of some members of our Pitkin County community places them at risk for serious health complications, including death, from COVID-19. Although most individuals who contract COVID-19 do not become seriously ill, persons with mild symptoms and asymptomatic persons with COVID-19 may place other vulnerable members of the public at significant risk. A large surge in the number of persons with serious infections can compromise the ability of the healthcare system, particularly in the high country counties currently affected by community transmission, to deliver necessary healthcare to the public and save lives. Colorado is experiencing a rapid increase in COVID-19 transmission that threatens the health of residents and risks overwhelming the healthcare system in the state of Colorado. Local medical experts believe that with medical certainty they are treating patients with COVID-19 and that extreme medical testing limitations at the local, state and federal level is the reason for the lack of information regarding diagnosis in our community.

The limitations on the size of gatherings as well as the use of social distancing, facial coverings, hand hygiene, disinfection, testing, contact tracing, quarantine and isolation decreases the risk of COVID-19 transmission to our most vulnerable populations. This is especially important for people who are over 65 years old and those with chronic health conditions due to their higher risk of severe illness and death from COVID-19. This Order will reduce the likelihood that many individuals will be exposed to COVID-19 and will therefore slow the spread of COVID-19 in our communities.

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 local Public Health Director has the duty to: 1) investigate and control the causes of epidemic or communicable diseases and conditions affecting public health; 2) to establish, maintain, and enforce isolation and quarantine, and in pursuance thereof; and 3) for this purpose only, to exercise physical control over property and over the

persons of the people within the jurisdiction of the agency as the agency may find necessary for the protection of the public health.

ORDER:

The terms of this Fifth Addendum to the Seventh Notice of Public Health Order, its first Addendum dated May 27, 2020, Second Addendum dated June 3, 2020, Third Addendum dated June 26, 2020, Fourth Addendum dated July 10, 2020 and Seventh Amended Notice of Public Health Order issued May 9, 2020 shall remain in effect through **August 14, 2020**. Where the terms of this Addendum conflict with the terms of the Seventh Amended Notice of Public Health Order, its first Addendum dated May 27, 2020, Second Addendum dated June 3, 2020, Third Addendum dated June 26, 2020 and Fourth Addendum dated July 10, 2020, this Fifth Addendum shall control.

Face Covering Requirements

- Face coverings are required to be worn outside whenever there is a risk of being within 6 feet of another person who is not of the same household.

- Face coverings are required to be worn while using or waiting to use public (buses, light-rail) or non-personal (taxi, car services, ride-shares) transportation services.

- In addition to mask requirements currently required in Pitkin County for indoor public spaces such as grocery stores, retail, and restaurants while being seated, mask requirements will include the following:
All Offices, Lobbies, Elevators, Indoor Businesses, Common Areas and Gyms (except while using an indoor pool), and when receiving a personal service (massage, hair salon, etc).

- Businesses must post signs at entrances that instruct customers they must wear a mask when entering or moving around inside the business and must refuse service to individuals not wearing masks.
- Outdoor team and recreational sports must follow Public Health guidance on facial coverings and COVID-19 Business Safety Plan.

The following individuals are exempt from face covering requirement:

- Individuals two (2) years old and younger; or
- Individuals who cannot medically tolerate a face covering.

Individuals performing the following activities are exempt from the face covering requirements while the activity is being performed:

1. 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;
2. Individuals who are seated at a food service establishment;
3. Individuals who are exercising alone or with others from the individual's household and a face covering would interfere with the activity;
4. Individuals who are receiving a personal service where the temporary removal of the face covering is necessary to perform the service;
5. Individuals who enter a business or receive services and are asked to temporarily remove a face covering for identification purposes;
6. Individuals who are actively engaged in a public safety role such as law enforcement, firefighters, or emergency medical personnel;
7. Individuals who are officiating at a religious service; or
8. Individuals who are giving a speech for broadcast or an audience.

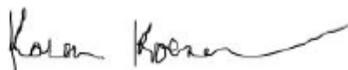
Limits on Informal Gathering Sizes for Individuals

No more than 10 individuals may gather together for any purpose, unless other provision of this order provides otherwise. Gatherings hosted by a business or that require a permit are subject to separate gathering size provisions. All gatherings are subject to the applicable social distancing, disease prevention, and other requirements set forth in this Order and the applicable guidance of Pitkin County Public Health. Nothing in this Order prohibits the gathering of members of the same household.

The Pitkin County Public Health Department is tasked with protecting the health and welfare of the residents and visitors of Pitkin County, Colorado by investigating and controlling the causes of epidemic and communicable disease. This Addendum 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 Addendum or any action taken by Public Health to enforce the Order has the right to request judicial review by filing an action with the Pitkin 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.

FAILURE TO COMPLY WITH THIS ADDENDUM 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.



Karen Koenemann
Public Health Director

July 30, 2020
Date