

FOURTH AMENDED STANDING PUBLIC HEALTH ORDER RELATING TO NON-RESIDENTS (INCLUDING NON-RESIDENT HOMEOWNERS) AND IMPOSING ISOLATION OR QUARANTINE FOR THOSE WHO TRAVEL OUTSIDE OF SAGUACHE COUNTY.

THIS ORDER SUPERSEDES ANY AND ALL PREVIOUS ORDERS ISSUED BY SAGUACHE COUNTY PUBLIC HEALTH. EFFECTIVE APRIL 8th, 2020.

Pursuant to Colo. Rev. Stat. § 25-1-506 and other applicable authority, this Order sets forth guidance and requirements for, as well as limitations on, group gatherings to slow the spread of the COVID-19 virus.

The purpose of these amendments is to amend and clarify the existing Order in response to inquiries received from elected officials and the public, and to expand protection for At Risk Persons (as defined in this Order). For the avoidance of doubt, this Order should be construed to eliminate all non-essential services or non-essential sales of goods, and should be construed in the light most favorable to preventing the community spread of 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. The Colorado Department of Public Health and Environment has confirmed that COVID-19 continues to spread throughout the State of Colorado.

On March 13, 2020, the President of the United States declared a National Emergency due to COVID-19.

On March 14, 2020, Saguache County declared a Local Disaster Emergency related to COVID-19.

On March 15, 2020, large municipalities across the nation, such as New York City, have announced the closing of all bars and restaurants except for takeout and delivery services.

On March 16, 2020, the Governor of Colorado announced the closing of all bars and restaurants except for takeout and delivery services.

On March 16, 2020. The President of the United States announced guidelines recommending among other things the restriction of social gatherings in groups of more than ten (10) people throughout the United States.

On March 22, 2020, the Governor of the State of Colorado issued an Executive Order requiring Colorado employers to reduce their in-person workforce by fifty percent effective on March 24, 2020.

On March 25, 2020, the Governor of Colorado issued Executive Order D 2020 017 "ordering Coloradans to Stay at Home due to the presence of COVID-19 in the State."

On March 26, 2020, CDPHE issued updated Public Health Order 20-24 implementing Stay at Home requirements.

All Executive Orders supersede any Local Public Health Orders.

The age, condition, and health of a significant portion of the population in Saguache County places it at risk of 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.

The limitations on business activities, large gatherings and use of social distancing decreases the risk of COVID-19 transmission to our most vulnerable populations, and is especially important for people who are over 60 years old, or 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 at a single event, 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 Saguache County Public Health Director 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 the agency may find necessary for the protection of the public health.

This Order shall apply to all unincorporated areas of Saguache County, Colorado and all incorporated (municipal) areas that do not have their own public health agency, to wit: Town of Center, Town of Crestone, Town of Moffat, Town of Saguache, Colorado.

All events must follow the requirements stated herein.

I. DEFINITIONS

For purposes of this Order

An "Event" is a gathering for business, social, or recreational activities, or a location that engages in or allows for such activities; that takes place indoors or outdoors, including, but not limited to, community, civic, public, leisure, or sporting events; parades; concerts; festivals; assemblies; places of worship; conventions; fundraisers; restaurants (regardless of capacity); community recreational centers; ice rinks; pools; spas; libraries; child care centers; schools; and similar locations and activities.

"Event" does not include activities that are primarily individual or occur in small groups or in non-congregate settings, such as places of employment or primarily small-group sports like cross-country (Nordic) and downhill skiing, as long as social distancing occurs particularly in areas where congregating in groups is unavoidable, such as grocery store lines. "Event" also does not include places of employment for federal, state, local and special district employees, employees of public utilities or utility service providers (e.g., electric utility providers, internet service providers, water and sewer service providers), grocery stores, financial institutions, hardware stores, gas stations, financial institutions, medical service providers (e.g., hospitals, doctor's offices,

veterinarians, medical clinics, dental offices, physical therapists, pharmacies) or discount department stores (e.g., Dollar General).

II. ORDER

- A.** All Events of (10) people or more (i.e. more than (9) persons) including employees and attendees, are prohibited.
- B.** All Events at the following locations are prohibited, regardless of the number of attendees: Day care centers, child care centers, home child care centers, community recreational centers, schools, and libraries.
- C.** All Events at bars, taverns, taprooms, and restaurants are prohibited, regardless of the number of attendees, except that such establishments may provide takeout and delivery of food so long as such establishments are otherwise in compliance with this Order. For the avoidance of doubt, this means that bars, taverns, taprooms, and restaurants should be and hereby are closed, except for takeout and delivery food service. Service of alcohol by the drink at bars, taverns, and restaurants is hereby prohibited, except that such facilities may serve alcohol on a package basis if otherwise permitted by law or as otherwise authorized by order of the governor.
- D.** All Events at retail establishments are prohibited, regardless of the number attendees, except for the types of retail establishments exempted by this Order: Federal, state, local and special district facilities, public utilities or utility service providers (e.g., electric utility providers, internet service providers, water and sewer service providers), grocery stores, financial institutions, automobile repair shops, auto parts stores, laundromats, hardware stores, medical service providers (e.g., hospitals, doctor's offices, medical clinics, veterinarians, medical supply companies, dental offices, physical therapists, pharmacies but NOT including massage therapists, tattoo artists, hair salons or nail salons), kennels and animal boarding facilities, equestrian stables (but not including commercial horseback riding or horse packing operations), newspapers, radio and television stations, gas stations and discount department stores (e.g., Dollar General). Retail establishments may continue to operate by continuing online or over-the-phone sales, except such goods ordered through such means must be delivered by mail or by delivery to a customer's home or vehicle and outside of the retail location. For the avoidance of doubt, this means that retail establishments, except for the types of retail establishments exempted by this Order, should be and hereby are closed, except for delivery service. Package liquor stores and marijuana dispensaries may continue to operate so long as they are otherwise in compliance with this Order. Those establishments exempted by Paragraph D are required to comply with this order to the maximum extent possible consistent with applicable law.

- E. All short term lodging, including but not limited to campgrounds, (whether private or government operated), reserved camping sites hotels, motels, short term rentals (30 days or less), bed and breakfast establishments, lodges and retreats shall cease operations, unless otherwise authorized in writing by the Public Health Director for emergency or quarantine purposes, or to provide lodging for essential federal, state, county or local personnel. Exceptions will be authorized by specific circumstances on a case by case basis from the Public Health Director.
- F. The County and District Courts are hereby exempted from this Order, except that Saguache County strongly encourages the Courts to: Consistent with any Court directives, a) vacate and reschedule all civil and domestic relations proceedings, especially civil jury trials (unless such proceedings can be conducted telephonically); b) vacate and reschedule criminal and traffic matters to the maximum extent possible consistent with defendants' Constitutional rights.
- G. Residential and commercial construction sites may otherwise continue to operate so long as in compliance with this Order if they receive an express, written exemption from the Public Health Director after providing her sufficient information, in her sole discretion, to ascertain compliance with this Order. Residential home and repair services (electrician, plumbing, propane delivery, trash, recycling and sanitation services, residential and commercial cleaning and home care services) may continue so long as they are in compliance with this Order.
- H. Events with 9 people or less, including employees and attendees, and including gatherings at all restaurants regardless of capacity, are prohibited unless event organizers take the following steps to mitigate risks:
 - a. Older adults (age 60 and older), including employees, or individuals with underlying medical conditions that are at increased risk of serious COVID-19, including employees (collectively, "At-Risk Persons" defined as older adults aged 60 and older or those with chronic medical conditions), are highly encouraged not to attend. For the avoidance of doubt, an "At-Risk Person" who is a federal, state, local or special district government employee, an employee of a medical service provider, an employee of a place or house of worship, or an employee of a public utility, financial institutions or utility service provider may report to his or her job site or other location(s) if necessary to perform his or her official job duties, so long as such location(s) are otherwise in compliance with this Order. An At-Risk Person may also enter into a medical service provider's office or facility, hardware store, grocery store or discount department store for the purpose of obtaining medical care, food, clothing or

other necessary items if such location is otherwise in compliance with this Order. However, At-Risk Persons are highly discouraged from engaging in such activities wherever possible.

- b.** Social distancing recommendations must be met. These include limiting contact of people within 6 feet from each other for 10 minutes or longer, and any other guidance. See Section III, below.
- c.** Employees must be screened for coronavirus symptoms each day and sent home if symptomatic.
- d.** Proper hand hygiene and sanitation must be readily available to public and employees.
- e.** Environmental cleaning guidelines from the US Centers for Disease Control and Prevention (CDC) are followed (e.g., clean and disinfect high touch surfaces daily or more frequently).

I. All persons who traveled for more than 24 hours away from Saguache County from March 13, 2020 until the date this Order expires, and who reside in high-density housing (e.g. dormitory, apartment complex of more than two units, long-term hotel) are hereby ordered, under the penalty of law, to isolate and quarantine themselves from all other persons, without exception, for a period of at least fourteen (14) days from the date such person returns to Saguache County. The Public Health Director reserves the right to extend the period of any quarantine under this Paragraph I in her sole discretion.

J. All persons who have tested positive for the COVID-19 virus are hereby ordered, under penalty of law, to isolate and quarantine themselves from all other persons, without exception, for a period of at least seven (7) days from the date on which such person experienced any symptoms of COVID-19 (e.g. fever, cough, shortness of breath), or 72 hours after the quarantined person is afebrile (resolution of any fever without the aid of medication), whichever is later. The Public Health Director reserves the right to extend the period of any isolation under this paragraph J in her sole discretion.

K. Any persons who travel outside Saguache County for a period of time of less than 24 hours are strongly encouraged to quarantine themselves for a period of (7) days from the date the person returns to Saguache County.

L. All visitors to Saguache County are strongly advised to return home immediately upon the issuance of this Order by the fastest and safest available means, and persons considering visiting Saguache County should remain home. Although non-resident homeowners are expressly exempt from this paragraph L, non-resident homeowners are strongly encouraged to leave Saguache County and return to their primary place of

residence. Those persons considering visiting Saguache County (i.e. for tourism purposes or for business purposes inconsistent with this Order) should remain home unless:

- a. expressly permitted by this Order;
- b. to allow the businesses, events or activities permitted by this Order to continue (e.g., delivery drivers to grocery stores or gas stations, agricultural workers, medical personnel to assist in hospital operations, law enforcement to assist in the enforcement of this Order).

III. FURTHER GUIDANCE

Further guidelines for social distance are available at:

<https://covid19.colorado.gov/>
<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

IV. GENERAL INFORMATION FOR ALL PERSONS AFFECTED BY THIS ORDER

If you have questions regarding this Order, please contact the Saguache County Health Department at: 719-655-2533.

Saguache County is tasked with protecting the health and welfare of the citizens of Saguache 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 Saguache 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.

This Order is in effect until midnight Mountain time April 26, 2020, and is subject to continuing review by the Public Health Director.

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 ONE THOUSAND (\$1,000) DOLLARS AND IMPRISONMENT IN THE COUNTY JAIL FOR UP TO EIGHTEEN MONTHS.




Lynette Grant
Public Health Director



Date



I, 

hereby acknowledge receipt of this Order.



Sign



Date