

STANDING PUBLIC HEALTH ORDER
EIGHTH AMENDED NOTICE OF PUBLIC HEALTH ORDER
ADOPTING COLORADO’S STATEWIDE COVID-19 DIAL

“Safer at Home”

October 7, 2020

This Order Supersedes and replaces all prior Standing Public Health Orders of Pitkin County’s Public Health Agency.

Pursuant to section 25-1-506 (2)(a)(I), Colorado Revised Statutes, this Standing Public Health Order (“Order”) is effective as of October 7, 2020 within the entirety of Pitkin County, including all municipalities within the County, until further modified or rescinded by future order.

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. The Pitkin County Public Health Medical Officer and Public Health Director report that expert, peer-reviewed sources indicate that at this time, the only effective way to combat COVID-19 is with significant travel restrictions and reducing transmission (e.g. quarantine and isolation).

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

Background and Purpose

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 12, 2020, Pitkin County declared a Local Disaster Emergency related to COVID-19. Since that time, the Governor has taken numerous steps to implement measures to mitigate the spread of disease within Colorado, while at the local level; numerous public health orders have been issued to enact even stricter disease mitigation measures. The size of the Pitkin County Public Health Department has tripled in size in order to build the system needed to respond to this pandemic-hiring contact tracers, case investigators, consumer and employee protection specialists, data analysts, epidemiologists, and COVID-19 subject matter experts.

The Colorado Department of Public Health and Environment (CDPHE) developed a statewide comprehensive dial dashboard, which was reflected in the Statewide Order released on Sept. 15 and includes a risk assessment for each of the state’s 64 counties. The Statewide Order provides a framework for how counties manage COVID-19 in their communities and progress through different phases or re-opening. The statewide dial 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 communities throughout the state to eliminate confusion created by a patchwork of multiple orders.

The Statewide Order and its dial dashboard rely on three key metrics, including disease incidence rate over a two-week period, percent of positive COVID-19 test results over a rolling 14 day average, and the number of hospitalizations for COVID-19 in the preceding 14 day period, to generate a color-coded risk assessment. Each level further determines the guidelines and restrictions on capacity limits based on the risk within each county. Pitkin County will continue to monitor additional metrics for trends that might indicate an increased spread of COVID-19 and the need to implement additional local measures.

As of October 4, 2020, there have been 224 known cases of COVID-19 among Pitkin County Residents, 16 outbreaks and two Pitkin County residents have died. There continues to be a need to implement disease mitigation measures in order to slow the spread of COVID-19.

The Purpose of this Order is to adopt additional orders specific to the Pitkin County community.

Order

Face Coverings:

- 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 (taxis, car services, ride-shares) transportation services.
- Face coverings are 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 teams and recreational sports must follow Public Health guidance on facial coverings.
- 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 life rite or religious service; or
 8. Individuals who are giving a speech for broadcast or an audience.

Business Safety Plans:

All businesses (this includes, but is not limited to postsecondary education institutions, childcare facilities, day and residential camps, theaters, places of worship, museums, libraries, lodging, restaurants and food services, limited health care settings, office-based businesses, gyms, fitness centers, recreation centers, bowling alleys, indoor/outdoor pools, hot springs, organized recreational sports, outdoor guides/tours/outfitters, golf courses, personal services, field services and real estate) must submit and adhere to a COVID-19 Business Safety Plan using sector-specific guidance to address capacity, physical/social distancing, masks, and cleaning practices. Critical government functions, as defined in Public Health Order 20-35 Safer at Home Dial Section IV. Definitions (C) are recommended to develop an internal COVID-19 Safety Operational Plan and submit it to Pitkin County Public Health for review and guidance.

Event Safety Plans:

Businesses holding gatherings must submit and adhere to a COVID-19 Business Safety Plan using event-specific guidance. Events that require a city, town or county permit must submit an Event Safety Plan and permit application. Events that do not require a city, town or county permit and are hosted in a commercial space with an Event Safety Plan on file must adhere to the facility Event Safety Plan. Events that have a professional Event Coordinator (a professional with a Business Safety Plan on file who will be responsible for Event Safety Plan compliance as their primary role during the event) with a Business Safety Plan on file must submit an Event Safety Plan. Events without a professional Event Coordinator with a Business Safety Plan on file are not permitted.

Businesses holding gatherings must submit and adhere to a COVID-19 Business Safety Plan using event-specific guidance.

Individual Compliance with Business or Event Safety Plans:

Individuals shall adhere to any additional social distance or disease prevention requirements imposed by businesses as a condition of entering their premises or attending gatherings they organize as set forth in the applicable COVID-19 Event Safety Plan submitted to Pitkin County by the business in question by which the business is permitted to operate.

Public Health Investigations and Contact Tracing for Individuals:

Individuals shall comply with Pitkin County Public Health case investigation and contact tracing program, 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 to investigate and control the spread of COVID-19. Failure to reasonably comply with contract tracing may result in criminal or civil sanctions as set forth below.

Mandatory Isolation for Individuals:

Individuals experiencing symptoms of COVID-19 shall self-isolate and seek testing immediately by contacting a healthcare provider. If an individual has tested positive for COVID-19 and/or has developed symptoms of COVID-19, including early or mild symptoms (such as cough and shortness of breath), they must isolate (stay away from others) until they have had no fever for at least twenty-four (24) hours (that is one full day of no fever without the use of medicine that reduces fevers), and other symptoms are improving (such as cough or shortness of breath) and at least ten (10) days have passed since symptoms first appeared. For asymptomatic persons the 10-day minimum isolation shall start from the date of the test.

Mandatory Quarantine for Individuals:

Individuals who have a household member or close contact that has a positive COVID-19 test or has symptoms of COVID-19 must quarantine (stay at home or stay put in the same location) and monitor their

health for COVID-19 like symptoms for fourteen (14) days since their last contact with an infected person to avoid spreading the disease.

Non-resident Visitors and Guests to Pitkin County:

Any person that is not a Local Resident that travels to or visits Pitkin County must be free of any symptoms consistent with COVID-19 before arrival. If any symptoms consistent with COVID-19 are present in the 10 days prior to arrival in Pitkin County, the Visitor or Guest must not travel to Pitkin County. All Visitors and Guests will self-screen for symptoms each morning during their stay in Pitkin County. Any Visitor or Guest that is a close contact of a person who either has a positive COVID-19 test or symptoms of COVID-19 will:

- a. Adhere to the Quarantine requirements even if this prolongs their stay in Pitkin County, at the traveler's expense.
- b. Adhere to the Self-Isolation requirements below even if this prolongs their stay in Pitkin County at the traveler's expense.
- c. Contact your healthcare provider or Aspen Valley Hospital (970-279-4111) for guidance and to schedule COVID-19 testing as quickly as possible.

Inform Non-resident visitors and Guest to Pitkin County:

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 Non-resident Visitors and Guests to Pitkin County.
- iii. Providing notice of the Special Provisions for Non-resident Visitors to non-Local guests in advance of their visit to Pitkin County where possible to do so.

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.



October 8, 2020

Karen Koenemann

Public Health Director