

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

“Safer at Home”

THIRD ADDENDUM

December 14, 2020

PURPOSE AND INTENT

The purpose and intent of this Third Addendum is to add clarity to Pitkin County's existing Eighth Amended Notice of Public Health Order issued October 8, 2020 and to respond to the surge of COVID-19 incidences within Pitkin County.

The 2019 novel coronavirus (COVID-19) is a contagious disease that is spreading rapidly from person to person in the world, the United States, and the Pitkin County community. COVID-19 can be transmitted from any person who is infected, even if they have no symptoms. Additionally, exposure is possible by touching a surface or object that has the virus on it and then touching one's mouth, nose, or eyes. Symptoms of COVID-19 may include fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea. Older adults and people who have serious chronic medical conditions are at a higher risk for serious illness. Illness in children and young adults has become more common as the face of the pandemic continues to change. After a brief respite in the summer months, case counts and the number of hospitalizations and deaths have been rising throughout Pitkin County, surrounding counties, the State of Colorado, and the world. As of December 13, 2020, there have been 668 known cases of COVID-19 among Pitkin County Residents, 46 outbreaks and two Pitkin County residents have died. A total of 192 known cases of COVID-19 have been out-of-jurisdiction cases, defined as individuals who have spent less than 31 consecutive days in Pitkin County. Not all visitors who test positive for COVID-19, or who are infectious while in Pitkin County, get reported to the Pitkin County Public Health Department. Thus, the number of cases among visitors is likely higher than what is reported.

People may be infected with COVID-19 but are asymptomatic, thus there is substantial risk that travelers arriving in Pitkin County from States and Countries where infection rates for COVID-19 are high may present a new source of transmission within the community. The Centers for Disease Control and Prevention suggests that testing can improve traveler safety. Individuals

may feel well and not have any symptoms while traveling, but they can still spread COVID-19 to others, including to other family, friends, and the community. CDC recommends getting tested 1-3 days before traveling and reducing non-essential activities for a full 7 days after travel. Testing provides a way for individuals to know their current COVID-19 status and enable them to avoid spreading the virus. Recognizing that an individual may not have their test results before traveling, quarantine is intended to serve that same purpose, to prevent the spread of the virus.

The Pitkin County Board of Health has been discussing additional protective measures for travelers coming into Pitkin County since the summer of this year. The Pitkin County Board of Health has sent two letters to Governor Jared Polis and the Colorado Department of Public Health and Environment (CDPHE) advocating for statewide traveler restrictions, but the responses have indicated no interest in such programs. At a Lodging Sector Task Force meeting, the lodging and hospitality community shared a willingness to partner with Pitkin County Public Health in communicating local requirements to all guests as a protective measure for our community. On November 19, the Pitkin County Board of Health approved the implementation of a Traveler Affidavit Program that would include a requirement to either quarantine or have a negative COVID-19 test upon arrival to Pitkin County. Since November 19, a second Task Force composed of chambers, lodging and hospitality, and marketing and tourism representatives convened on two occasions to provide feedback on the program development and implementation. The Traveler Affidavit Program details below represent feedback received from this group to make it a program that encourages safe practices and promotes our community as a safer community to visit.

Pitkin County has made progress to slow the spread of COVID-19 and keep our businesses and ski areas open. Despite the efforts taken to date, the pandemic continues to spread, and taking action to prevent that spread while continuing to allow for necessary resumption of economic and social activity requires Pitkin County to take steps to minimize the danger to residents as a result of participating in that activity. Our entire community, our residents and our visitors have a responsibility to help keep transmission levels as low as possible and our community open. It is therefore necessary to implement a policy to require travelers entering the Pitkin County community to take responsible measures to protect against new sources of transmission of the COVID-19 virus and the risk that these present to the progress achieved in reducing the prevalence of the virus within the community.

ORDER

Pursuant to section 25-1-506 (2)(a)(I), Colorado Revised Statutes, this Third Addendum to the Eighth Standing Public Health Order (“Order”) is effective as of December 14, 2020, within the entirety of Pitkin County, including all municipalities within the County, until further modified or rescinded by future order. Where the terms of this Addendum differ from the Eighth Standing Public Health Order, and the First and Second Addendums, the terms of this Addendum shall control. Where the terms of this Addendum and the Eighth Standing Public Health Order differ from any State Public Health Orders, the more strict shall control.

In addition to the requirements established in the Eighth Standing Public Health Order, the additional protective measures shall be followed:

1. Travelers Into Pitkin County

Effective December 14, 2020, unless exempted as defined in Section 3, all travelers 10 years of age and older, traveling into or returning to Pitkin County after 10 days from any location outside of Pitkin County, by any means or mode, and spending one or more nights in Pitkin County shall either:

- a. receive a negative test result for COVID-19 from a test performed on a sample taken not longer than 72 hours before the person’s arrival in Pitkin County and can produce proof of the negative test result upon request; or
- b. quarantine for 10 days upon arrival in Pitkin County, or until a negative test result for COVID-19 has been received; or
- c. provide proof of a positive COVID-19 test result received within 90 days prior to the date of departure and attest to completion of the isolation requirement.

2. Traveler Affidavit

- a. A person required to quarantine pursuant to Section 1(b) of this Order or a person who is not subject to the quarantine requirement because the person can produce proof of a negative test result as provided in Section 1(a), or a person who is not subject to quarantine pursuant to Section 1(c), shall complete and submit a Pitkin County Travel Affidavit Form acknowledging their obligations under this Order and certifying the means by which they will comply with those obligations. Pitkin County Public Health shall post the Travel Affidavit Form and instructions for submitting the form on the Pitkin County COVID-19 website.

3. Circumstance-Specific Exceptions

The requirements established in this Order shall not apply to persons arriving in Pitkin County in the following limited circumstances:

- a. *Patients Receiving Medical Treatment*: any patient who must travel to Pitkin County in order to seek or receive specialized medical care from a physician located in Pitkin County and persons accompanying and providing needed support to the patient
- b. *Military Personnel*: any person who is required to travel to Pitkin County at the order or directive of a Federal or State military authority
- c. *Persons Performing Critical Infrastructure Services*: any person who enters Pitkin County to perform a critical infrastructure function, provided that this exception shall apply only when such person is actively engaged in performing that function and at all other times a person entering under this exception shall be required to comply with the requirements pursuant to Section 1 of this Order, unless some other exemption applies. For purposes of this Order, the term “critical infrastructure function” shall mean work performed by Critical Infrastructure Workers as specified in CDPHE PHO 20-36 Appendix A.
- d. *Persons with Disabilities*: any persons with disabilities, [defined](#) as a person with a physical or mental impairment that substantially limits one or more of the major life activities; a record of such an impairment; or being regarded as having such an impairment. Major life activities include: caring for one’s self, walking, seeing, hearing, speaking, breathing, working, and learning.

3. Release from Quarantine Requirement

A person required to quarantine pursuant to this Order shall be permitted to leave Pitkin County prior to the expiration of the mandatory 14-day period, provided the person complies with Pitkin County-issued rules for departure.

4. Quarantine & Isolation Requirements

- a. *Mandatory Isolation for Individuals*: Individuals experiencing symptoms of COVID-19 shall self-isolate and seek testing immediately by contacting a healthcare provider or visiting the [Pitkin County COVID-19 website for local testing sites](#). 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), or they have received an isolation letter from

Pitkin County Public Health, they must isolate (stay away from others) in accordance with the Pitkin County Public Health isolation requirements as defined on the [Pitkin County COVID-19 website](#).

- b. *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, or they have received a quarantine letter from Pitkin County Public Health, must quarantine (stay at home or stay put in the same location) and monitor their health for COVID-19 like symptoms in accordance with the Pitkin County Public Health quarantine requirements as defined on the [Pitkin County COVID-19 website](#).

5. Limitations on Public and Private Gatherings

- a. Public and private gatherings are limited to no more than 10 individuals from no more than 2 households when not otherwise regulated as a specific sector or activity in Section III of CDPHE PHO 20-36. Nothing in this Order prohibits the gathering of members living in the same household.
- b. The prohibition applies to short term lodging. 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). By way of example, more than 10 people who live in two different residences are prohibited from sharing a short term lodging unit.

6. Requirements for Short-Term Lodging Operations

- a. Owners and/or entities responsible for the booking and renting of short-term lodging units must confirm the identity of all renters to ensure that no more than 10 individuals from 2 households are sharing a lodging unit, as required by CDPHE PHO 20-36.

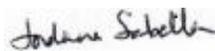
Nothing in this Order otherwise modifies the requirements and operating capacities established in the Eighth Standing Public Health Order which follows the CDPHE PHO 20-36.

Furthermore, Pitkin County strongly urges residents to remain vigilant in efforts to reduce the spread of COVID-19 by maintaining social distancing and strictly complying to face covering requirements. If case numbers continue to rise, Pitkin County may trigger Level Red of CDPHE PHO 20-36, which will directly impact operating capacities for office-based businesses, retail, manufacturing, personal services, limited healthcare settings, restaurants, houses of worship, indoor events, outdoor events, organized sports, gyms, and outdoor guided activities.

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.



Jordana Sabella

December 14, 2020

Interim Public Health Director