



STANDING PUBLIC HEALTH ORDER

ELEVENTH AMENDED NOTICE OF PUBLIC HEALTH ORDER

Limited COVID-19 Restrictions

May 21, 2021

PURPOSE AND INTENT

The purpose and intent of this Eleventh Amended Notice of Public Health Order is to supplement the requirements set forth in Colorado's Second Amended Public Health Order 20-38.

FINDINGS AND NECESSITY OF ORDER

On April 16, 2021, Public Health Order 20-36 issued by the Colorado Department of Public Health and Environment (CDPHE), as amended and extended, expired and the COVID-19 Dial became non-mandatory guidance at the State level. Limited restrictions issued by CDPHE replaced the previous Public Health Order 20-36.

While Colorado has opened COVID-19 vaccine eligibility to everyone 12 and older, estimates indicate that as of May 17, 2021, only about 41% of the population is fully immunized, while 61% of Pitkin County residents are fully vaccinated.

As of May 17, 2021, there were 531,700 known cases of COVID-19 statewide in Colorado, and 2,491 known cases in Pitkin County, Colorado, as well as 6,562 deaths due to COVID-19 statewide and 4 deaths in Pitkin County. Data show that COVID-19 transmission and the use of the hospital system due to COVID-19 have leveled off in Colorado and in Pitkin County.

On May 13, 2021, the Pitkin County Board of Health voted to graduate from the CDPHE COVID-19 Dial. With continued low COVID-19 case counts and a significant portion of our population vaccinated, this allows our community to transition from the emergency crisis, to living with the virus. Pitkin County will continue to follow the CDPHE COVID-19 Dial Framework and Level Green requirements through May 27, 2021.

Pitkin County Public Health and the State of Colorado will monitor hospital metrics, where additional protective measures, or a snapback to the State COVID-19 Dial may be implemented if 85% of the regional hospital bed capacity is exceeded or local hospital capacity is threatened.



With the rescission of the Tenth Amended Public Health Order, but the pandemic ongoing, it remains critical to work as a community to reach herd immunity through vaccination, and for individuals and businesses to remain vigilant regarding the transmission of COVID-19.

As we transition the community out of the COVID-19 crisis mode, Pitkin County will relax the majority of existing public health requirements while continuing to monitor data and prevent surges of the disease. To continue to combat COVID-19 in Pitkin County, limited requirements to mitigate disease spread remain appropriate. Pitkin County will adopt these limited requirements as issued on May 28, 2021 and as amended herein.

ORDER

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 Eleventh Standing Public Health Order ("Order") is effective as of 12:01 A.M. MDT May 28, 2021, 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 Eleventh Standing Public Health Order differ from any State Public Health Orders, the more strict shall control. This Order adopts the definitions used in the State Public Health Orders and in particular Order 20-38 unless otherwise defined.

1. Face Coverings Required for Those Over the Age of Two

- a. All individuals over the age of two must cover their nose and mouth with a face covering when in public indoor spaces and while using public (buses, light-rail) or non-personal (taxis, car services, ride-shares) transportation services.
- b. Businesses with public indoor spaces must post mask policy signage at entrances.
- c. Exceptions to the face covering requirements include:
 - i. individuals two (2) years of age or younger;
 - ii. individuals who cannot medically tolerate a face covering;
 - iii. in public indoor spaces if a minimum of 80% of the individuals in the public indoor space have shown proof of vaccination and a maximum of 20% of the individuals in the public indoor space have shown proof of a negative COVID-19 test administered within the last 72 hours.
 - iv. Individuals performing the following activities while the activity is being performed:
 1. individuals eating or drinking in a food service establishment, only during the period of time such persons are actually eating or drinking;
 2. 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;



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;
8. individuals who are giving a speech for broadcast or an audience;
9. individuals in a classroom setting for the limited purpose of playing an instrument that cannot otherwise be played while wearing a face covering.

Public Health Agency Authority

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 Order 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

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May 21, 2021

Interim Public Health Director