



Chaffee County Public Health

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March 19, 2020

**PUBLIC HEALTH AGENCY ORDER # 2020 – 02
CHAFFEE COUNTY PUBLIC HEALTH ORDER RELATED TO COVID-19**

EFFECTIVE IMMEDIATELY

*** THIS ORDER SHALL RESCIND AND REPLACE ALL PREVIOUS ORDERS ***

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.

On January 30, 2020, the World Health Organization (“WHO”) declared the worldwide outbreak of COVID-19 a “public health emergency of international concern.” On January 31, 2020, the United States Department of Health and Human Services declared the virus a public health emergency.

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 11, 2020, WHO declared COVID-19 a pandemic, pointing to the sustained risk of further global spread.

On March 13, 2020, Chaffee County (“County”) declared a Local Disaster Emergency related to COVID-19. Pursuant to Resolution 2020-29, the County ratified and extended this Local Disaster Emergency pursuant to a meeting of the Chaffee County Board of County Commissioners (“BoCC”) on March 17, 2020.

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

On March 16, 2020 the President of the United States issued new guidelines to help protect American’s during the COVID-19 pandemic, which includes: avoiding discretionary travel, gathering limited to 10 or less people, use of drive through and pick up delivery options, and telecommuting for work and school.

On March 16, 2020, Colorado Department of Public Health issued a public order starting, on March 17, that for 30 days all bars, restaurants, theaters, gyms and casinos, are closed with certain exception for take-out and delivery services for restaurants.

Chaffee County Public Health (CCPH) anticipates that, due to the contagiousness of the illness and the fact that numerous travelers from around the world visit the county, Chaffee County will see cases of the virus and its transmission within the community. Developing social distancing policies prior to an extensive outbreak has been a proven means of helping to contain COVID-19 outbreaks.

On March 17, 2020, CCPH issued its first Public Health Order to limit COVID-19’s transmission with the community by limiting the size of events, closing restaurants, bars, theaters, gyms and closing short-term rentals, hotels and other similar facilities.

On March 19, 2020, Colorado Department of Public Health issued Public Order 20-23, which implemented additional social distancing measures, such as: limiting all mass gathering (including community, civic, public, leisure, faith-based events, sporting events with spectators, concerts, conventions, fundraisers, parades, fairs, festivals, and any similar event or activity) to no more than ten people. Public Order 20-23 made exemptions for governmental agencies, transportation stations, health care facilities, grocer/retail stores, pharmacies, government buildings and factories.

CCPH recommends that without appropriately responding to the illness, including cancelling and postponing public events, restricting social gatherings to 10 people or less, numbers of cases within Chaffee County will rise which may result in serious illness or death for certain members of the community, and will have the effect of interrupting the functioning of the community, will overwhelm the capacity of the local health care system and the ability to respond to the COVID-19 pandemic. Additionally, a large surge in the number of persons with COVID-19 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 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 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 Chaffee 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 Chaffee County, Colorado and all incorporated (municipal) areas that do not have their own public health agency: City of Salida, Town of Poncha Springs and Town of Buena Vista.

ORDER

1. Events. All public and private events, to include but not limited to: any mass gatherings in bars, restaurants, theaters, gyms, spas, pools, hot springs, community, civic, public, leisure, faith-based events, sporting events with spectators, concerts, conventions, fundraisers, parades, fairs, festival, and any similar event or activity that brings together 10 or more persons in a single room or space at the same time in a venue such as an auditorium, stadium, arena, large conference room, meeting hall, private club, or any other confined indoor or outdoor space are suspended until April 7, 2020. Additionally, the following Events shall be limited, as follows:
 - a. All public and private events and gatherings are limited to 10 people or less. The Chaffee County community is strongly directed to limit activity outside of the household, engage in social distancing and to only participate in social gatherings through online forums and formats.
 - b. Chaffee County restaurants are required to follow Colorado Department Public Health Order and Guidance (attached as Exhibit A) to maintain operations only for delivery and carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site.
 - c. All businesses with a facility in the County, except Essential Businesses, as defined herein, are required to cease all activities at facilities within the County. For clarity, businesses not listed as an Essential Business may also continue operations consisting exclusively of employees or

contractors performing activities remotely or can provide pick-up or delivery service as long as such business are otherwise in compliance with this Order. All Essential Businesses are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall if possible establish curb side pickup for customers, establish maximum customer limits that allow compliance with social distancing, by maintaining six-foot social distancing for both employees and members of the public, including, but not limited to, when any customers are standing in line. Unless otherwise addressed, the following are considered “**Essential Businesses**”:

- i. Healthcare Operations, Essential Governmental Functions and Essential Infrastructure (e.g. courts of law, medical providers for urgent care, public utilities, critical county, town and special district operations, and critical school operations such as nutrition programs).
 - ii. Grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, wholesale and products necessary to maintaining the safety, sanitation, and essential operation of residences.
 - iii. Liquor stores and marijuana establishments must comply with social distancing requirements and shall allow no more than 5 customers at a time.
 - iv. Food cultivation, including farming and livestock.
 - v. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
 - vi. Newspapers, television, radio, and other media services.
 - vii. Gas stations and auto-supply, auto-repair, and related facilities.
 - viii. Banks and related financial institutions.
 - ix. Hardware stores.
 - x. Plumbers, electricians, exterminators, internet or broadband providers and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses.
 - xi. Businesses providing mailing and shipping services, including post office boxes.
 - xii. Laundromats, dry cleaners, and laundry service providers.
 - xiii. Businesses that ship or deliver groceries, food, goods or services directly to residences or other businesses.
 - xiv. Home-based care for seniors, adults, or children.
 - xv. Residential facilities and shelters for seniors, adults, and children.
 - xvi. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities.
- d. All short-term lodging, including but not limited to, hotels, motels, short-term rentals (30 days or less), bed and breakfasts establishments, lodges and retreats shall cease operations unless authorized by writing by the Public Health Director for emergency or quarantine purposes or to provide lodging for essential personnel or for other emergency travel or lodging purposes such as travel and lodging purposes not for leisure. Specifically, excluded from this order are circumstances in which it is not safe for a guest to depart, guest travelling through the County and are using facilities for overnight purposes only and not for leisure travel, emergent sheltering of at-risk community members, and the use of the facility at the time of this Order as a long-term residence. There shall be no booking or reservation for the pendency of this Order. Furthermore, current reservations for the timeframe anticipated in this Order shall be canceled. All short-term lodging establishments shall follow CDPHE guidelines for minimizing the spread of COVID-19.
- e. All public transportation is considered an Event and public transportation services will work with the Public Health Director to implement best practices to minimize the spread of COVID-19. Local bus transportation and private transportation providers is limited to individuals who are accessing Essential Businesses or working for an Essential Business.

- f. Visitors of Chaffee County are directed to return home immediately and persons considering visiting Chaffee County should remain home to mitigate the spread of COVID-19.
 - g. Use of school facilities for public benefit shall be at permission and consultation of the Public Health Director.
 - h. Publicly-scheduled meetings for the County shall take place virtually allowing the public to participate online or via teleconference.
2. Chaffee County is tasked with protecting the health and welfare of the citizens of Chaffee 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.
 3. Any person aggrieved and affected by this Order has the right to request judicial review by filing an action with the Chaffee 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.
 4. This Order is in effect until midnight Mountain time April 30, 2020, and is subject to continuing review, amendment and extension by the Public Health Director.
 5. **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 FIVE THOUSAND (5,000) DOLLARS AND IMPRISONMENT IN THE COUNTY JAIL FOR UP TO EIGHTEEN MONTHS.**



Andrea Carlstrom

3.19.20
Date

STATE OF COLORADO, CHAFFEE COUNTY
ATTEST:

Chaffee County Clerk