



SUMMIT COUNTY PUBLIC HEALTH

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MAY 15, 2021

AMENDED AND RESTATED STANDING PUBLIC HEALTH ORDER
REGARDING THE COVID-19 PANDEMIC
FOR SUMMIT COUNTY, COLORADO

1. Purpose, Effective Area. This Amended and Restated Public Health Order is being issued to limit the health impacts of COVID-19. This Order sets forth requirements and guidelines for group gatherings, business operations, personal responsibility, and additional guidance to slow the spread of COVID-19. This Order is effective within the entirety of Summit County, including all towns within the County.

2. Effective Date and Time, Limitations. The Public Health Order will become effective at 9:30 a.m. on May 15, 2021, unless otherwise specifically provided for herein, and will remain in effect until 11:59 p.m. June 4, 2021 unless extended, rescinded, superseded, or amended in writing.

3. Findings and Intent. As of May 13, 2021, there were 526,687 known cases of COVID-19 in Colorado; 28,960 Coloradans have been hospitalized and 6,546 Coloradans have died due to COVID-19.

There is clear evidence that some individuals who contract COVID-19 have no symptoms or have very mild symptoms, which means they are likely unaware they carry the virus. Asymptomatic individuals can transmit the disease, and evidence shows the disease is easily spread, so gatherings of people facilitate transmission of COVID-19.

The Public Health Director finds that we must use tools, such as physical distancing and face coverings, to mitigate the spread of COVID-19 to protect health and save lives.

The intent of this Order is to minimize contact among individuals and reduce the public's exposure to the novel coronavirus in an effort to prevent further restrictions and closures being imposed upon the county by the State. The State maintains the authority to move counties quickly to other dial levels as defined in the State public health order and to move a county more than one level at a time. The State continues to recommend that counties like Summit remain diligent in taking steps to lessen the spread of COVID-19.

4. Legal Authority. This Order is adopted pursuant to the legal authority set forth in sections 25-1-506 and 25-1-508, 25-1-509, Colorado Revised Statutes as well as all other

applicable laws, rules, regulations, orders and declarations. Under this authority, the Summit County Public Health Director has the duty to investigate and control the causes of the epidemic or communicable diseases and conditions affecting public health; to establish, maintain, and enforce isolation and quarantine; to exercise physical control over the property and over the persons of the people within the territorial limits of Summit County; and to prohibit the gatherings of people to protect the public health; all as the Public Health Director may find necessary for the protection of the public health. Issuance of this Order is deemed reasonable under the existing circumstances and necessary for the immediate preservation of the public health, safety and welfare.

5. Most Restrictive Standard Controls. To the extent any State and/or Federal orders or laws are more restrictive than what is set forth herein, such orders control. Individuals should be aware that new orders from Governor Polis and the Colorado Department of Public Health and Environment (CDPHE) are being issued on a regular basis, and all members of the public are responsible for following the Governor's orders, CDPHE orders, and local orders. The more restrictive Summit County provisions expressly provided below shall control; except as may otherwise be determined by judicial order.

6. Incorporation of State Orders. All Executive Orders issued by the Governor and all CDPHE Public Health Orders are hereby adopted and deemed incorporated herein. This Amended and Restated Public Health Order is intended to clarify and harmonize this Summit County Public Health Order with all of the State's orders.

For purposes of this order, the term "Physical Distancing Requirements" shall have the same meaning as the State defined term "Social Distancing Requirements".

7. Compliance with State Orders. In order to safely open and operate, businesses and other entities allowed to operate must comply with all Executive Orders issued by the Governor as well as all CDPHE Public Health Orders and are encouraged to comply with all State Guidance applicable to such operations.

8. Level Green. Summit County is currently in Level Green: Little to No Threat, effective 12:01 a.m. on May 5, 2021.

9. Definitions. All definitions listed in the CDPHE Tenth Amendment Public Health Order 20-36 COVID-19 DIAL ("CDPHE PHO 20-36") dated April 4, 2021 and CDPHE Public Health Order 20-38 Limited COVID-19 Restrictions ("CDPHE PHO 20-38") dated April 15, 2021 are hereby incorporated and shall have the same meaning in this Order.

10. Face Coverings. A mandatory mask-wearing requirement for Colorado first went into effect in July 2020 and recently was amended in Governor Polis' [Executive Order D 2021 103](#) on May 14, 2021. The State of Colorado mask requirements are applicable within Summit County as promulgated by the Governor; including the following amendments:

- a. Paragraph II(A) shall apply to any individual, age two (2) and older, and
- b. Paragraph II(C) shall apply to individuals, age two (2) and older, and
- c. Paragraph II(C)(1) shall also include children’s indoor camps and recreational sports that fall outside of school.
- d. Paragraph II(C)(1) shall have the following exceptions:
 - i. Performances with vocal speech or singing, wind or brass instruments, or activities that cause heavy breathing should be 12 feet from patrons if the performer is wearing a mask. If not wearing a mask, performers should be 25 feet from spectators. Performances with no forced exhalation as in the prior examples, like a piano, harp, or organ player, should be a minimum of 6 feet from patrons, but 12 feet is preferred.
 - ii. Persons engaged in physical activities such as swimming, wrestling, spirit or other sports where helmets/mouth guards interfere with the mask and pose a physical or breathing hazard to the wearer; or other similar activities may be approved at the discretion of SCPH.

11. In accordance with Governor Polis’ Executive Order D 2020 219, as amended, employers and operators of places of public accommodation, and those authorized on their behalf, shall have discretion to deny admittance or service and require the removal of any individual who fails to wear a medical or non-medical face covering. Such action shall be applied in a manner consistent with the American Disabilities Act (42 U.S.C. § 12101 *et seq.*), Title VII of the Civil Rights Act (42 U.S.C. § 2000e *et seq.*), the Colorado Anti-Discrimination Act (C.R.S. § 24-34-401 *et seq.*), and any other relevant federal or state law.

12. Additional Information, Recommendations and Requirements for all Persons.

a. Importance of Public Actions: These actions are some of the most readily available and effective tools to help slow the spread of the virus in our community – and, importantly, to reduce the number of potential deaths caused by COVID-19. By slowing the spread, we protect our family, friends, and neighbors. In particular, this includes all adults over age 65 and anyone with an underlying health condition.

These actions will limit the cascading impacts on critical services due to high absenteeism if large numbers of workers become ill. This Order and the actions required or recommended herein will help hospitals, first responders, and other health care services continue to provide services for those who need them (along with utilities, human services, and businesses) in the coming months. Collective action can save lives and is in support of the most vulnerable in our

community. The more united we can be in preventing the spread, the greater the benefit for the whole community.

b. Importance of Business Actions: The actions listed in this Order and in the State of Colorado Public Health Order, are some of the most readily available and effective tools to help slow the spread of the virus in our community – and, importantly, to reduce the number of hospitalizations and deaths caused by COVID-19. By slowing the spread, businesses protect their workers and customers and our local economy.

Businesses shall not require, incentivize, encourage or coerce employees, contractors or subcontractors into risking their health by violating this Order, including by working while sick, working without a face covering, or working without proper protective equipment or protocols.

Businesses are strongly encouraged to be supportive of employees who are ordered to self-isolate or quarantine, including by paying them to stay home. Summit County Public Health may publish information about any outbreak at a business so that the public is aware of the extent and nature of disease spread in the community.

13. Penalties. Failure to comply with this Order is subject to the penalties contained in Section 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 (18) months.

By: _____  _____

Amy Wineland, RN, MSN, ND, CPNP
Summit County Public Health Director
May 15, 2021