

**SECOND AMENDED STANDING PUBLIC HEALTH ORDER RELATED
TO EVENTS, GATHERINGS, BUSINESS OPERATIONS AND OTHER
ACTIVITIES AND SHELTER IN PLACE FOR OUT OF COUNTY
TRAVELERS
SILVER THREAD PUBLIC HEALTH DISTRICT**

Pursuant to sections 25-1-506 and 25-1-509 of the Colorado Revised Statutes and other applicable authority, this Order sets forth guidance and requirements for, as well as limitations on, events, group gatherings, business operations and other activities to slow the spread of the COVID-19 virus.

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.

The purpose of these amendments is to amend and clarify the existing Order in response to changing conditions and to expand the protections for the public.

On March 12, 2020, Gunnison County declared a Local Disaster Emergency related to COVID-19 and community transmission of the disease has now been confirmed in Gunnison County with a number of people in Gunnison County testing positive for COVID-19. A person in Hinsdale County has tested positive COVID-19. People from Hinsdale County also have regular and constant contact with people from Gunnison County.

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

On March 14, 2020, Hinsdale County initiated a virtual Emergency Operations Center to address COVID-19.

On March 14, 2020, Hinsdale County declared a Local Disaster Emergency related to COVID-19. There is currently a public health emergency in Hinsdale County as a result of COVID-19.

On March 15, 2020, the United States Centers for Disease Control and Prevention (CDC) recommended that for the next eight (8) weeks organizers (whether groups or individuals) cancel or postpone in-person events that consist of fifty (50) people or more throughout the United States.

On March 16, 2020, the President of the United States announced guidelines recommending among other things the restriction of social gatherings in groups of more than ten (10) people throughout the United States.

On March 16, 2020, the Colorado Department of Public Health & Environment (“CDPHE”) ordered the closure of all bars, restaurants, theaters, gymnasiums, and casinos statewide. See CDPHE Public Health Order 20-22.

On March 22, 2020, the Governor of the State of Colorado issued an Executive Order requiring Colorado employers to reduce their in-person workforce by fifty percent effective on March 24, 2020.

The age, condition, and health of a significant portion of the population in Hinsdale County places it at risk of serious health complications, including death, from COVID-19. Although most individuals who contract COVID-19 do not become seriously ill, persons with mild symptoms and asymptomatic persons with COVID-19 may place other vulnerable members of the public at significant risk. A large surge in the number of persons with serious infections can compromise the ability of the healthcare system, particularly in small counties such as Hinsdale County and high-country counties currently affected by community transmission, to deliver necessary healthcare to the public. It is necessary to take proactive measures to protect the public.

The limitations on 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 sixty (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 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, 25-1-508 and 25-1-509 of the Colorado Revised Statutes. Under these laws, the Public Health Director for Silver Thread Public Health District has the duty to investigate and control the causes of epidemic or communicable diseases and conditions affecting public health, 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 and to prohibit the gathering of people when necessary to protect public health.

This Order shall apply to all of Hinsdale County, Colorado.

The requirements in this Order are in addition to and should not be construed in any way to limit the requirement to comply with any orders issued by the federal or state government including, without limitation, the requirements of CDPHE Public Health Order 20-22.

I. DEFINITIONS

For purposes of this Order:

“Essential Activities” means performing any one of the following:

- a. Engaging in activities essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional or obtaining supplies they need to work from home.

- b. Obtaining necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
- c. Engaging in an outdoor activity, provided the individuals comply with social distancing requirements such as by way of example and without limitation, walking, hiking or running.
- d. Performing work by providing essential products and services at for an Essential Business or to otherwise carry out activities specifically permitted in this Order including Minimum Basic Operations.
- e. Caring for a family member or pet in another household.

“Essential Business” means:

- a. 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).
- b. 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.
- c. Food cultivation, including farming, livestock, and fishing; Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- d. Newspapers, television, radio, and other media services.
- e. Gas stations and auto-supply, auto-repair, and related facilities.
- f. Banks and related financial institutions.
- g. Hardware stores.
- h. 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.

- i. Businesses providing mailing and shipping services, including post office boxes.
- j. Educational institutions- including public and private K-12 schools, colleges, and universities- for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible.
- k. Laundromats, dry cleaners, and laundry service providers.
- l. Restaurants and other facilities that prepare and serve food, but only for delivery or 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.
- m. Businesses that ship or deliver groceries, food, goods or services directly to residences or other businesses.
- n. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order.
- o. Home-based care for seniors, adults, or children.
- p. Residential facilities and shelters for seniors, adults, and children.
- q. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities

“Essential Government Functions” means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined this Section, to the extent possible.

“Essential Infrastructure” means public works construction including schools or governmental buildings, construction of housing, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with social distancing requirements, to the extent possible.

“Essential Visitor” means any individual renting lodging or camping for purposes of work within Hinsdale County and their spouse and dependents. To be an Essential Visitor the individual, spouse and dependents must “Shelter in Place” as defined in this Order.

An "Event" is a gathering for business, social, or recreational activities, or a location that engages in or allows for such activities; that takes place indoors or outdoors, including, but not limited to, community, civic, public, leisure, or sporting events; parades; concerts; festivals; assemblies; places of worship; conventions; fundraisers; restaurants; community recreational centers; ice rinks; libraries; child care centers; and similar locations and activities.

"Event" does not include activities that are primarily individual or occur in small groups or in non-congregate settings, such as places of employment or primarily small-group sports like cross-country (Nordic) and downhill skiing, as long as social distancing occurs particularly in areas where congregating in groups is unavoidable, such as ski lift lines. "Event" also does not include places of employment for federal, state, local and special district employees, employees of public utilities or utility service providers (e.g., electric utility providers, internet service providers, water and sewer service providers), grocery stores, hardware stores, medical service providers (e.g., clinics, hospitals, long term care facilities, doctor’s offices, medical provider office of any type, dental offices, physical therapists, pharmacies) or retail stores. An event also does not include schools, as noted below.

“Healthcare Operations” means hospitals, clinics, dentists (for emergency care only), pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. "Healthcare Operations" also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. "Healthcare Operations" does not include fitness and exercise gyms and similar facilities.

“Minimum Basic Operations” include the following, provided that employees comply with social distancing requirements, to the extent possible, while carrying out such operations:

- a. The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions.
- b. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

“Primary Resident” means any individual renting lodging for periods of more than thirty (30) days and whose primary residence is in Hinsdale County.

“Shelter-in Place” shall mean an individual may only leave their residence to perform Essential Activities.

Schools

Silver Thread Public Health District is working closely with and providing guidance to the Hinsdale County School District RE-1 to regarding actions that are being taken by Hinsdale County School District RE-1 regarding school closures. Schools, parents and employers should take steps now to prepare for the possibility of prolonged mandatory closures.

In particular, schools should plan for how to continue to provide non-educational support for their students.

II. ORDER

- A.** All events of ten (10) people or more, including employees and attendees, are prohibited.
- B.** Events with fewer than ten (10) people, including employees and attendees, are prohibited unless event organizers take the following steps to mitigate risks:
 - 1. Proper hand hygiene and sanitation must be readily available to all attendees and employees.
 - 2. Environmental cleaning guidelines from the CDC shall be followed (e.g., on days of use clean and disinfect high touch surfaces or more frequently as needed).
 - 3. Social distancing guidelines shall be followed. These include limiting contact of people within six (6) feet from each other for ten (10) minutes or longer, and any other guidance. See Section III, below for more guidance.
- C.** Employers, whether involved in an event or conducting daily operations, shall screen employees daily and ensure that employees exhibiting symptoms such as fever, coughing or shortness of breath are not allowed in the workplace.
- D.** All visitors to Hinsdale County are strongly advised to return home immediately upon the issuance of this Order by the fastest and safest available means, and persons considering visiting Hinsdale County should remain home. Although non-resident homeowners are expressly exempt from this paragraph II.D., non-resident homeowners are strongly encouraged to leave Hinsdale County and return to their primary place of residence.
- E.** All short term lodging, including but not limited to campgrounds (whether private or government operated), reserved camping sites, hotels, motels, short term rentals (30 days or less), bed and breakfast establishments, lodges and retreats may only lease to Essential Visitors, Primary Residents and essential federal, state, county or local personnel or unless otherwise authorized in writing by the Public Health Director for emergency or quarantine purposes. Management of all short-term lodging shall implement social distancing measures in lobbies and communal areas

of an establishment including lines for front desk and concierge, and cleansing measures between each transaction for staff who handle cash and credit cards at check-in. Management shall post signage approved by the CDC which advises members, guests and patrons of the COVID-19 protocols. For avoidance of doubt, disbursed camping on Federal public lands by Hinsdale County residents is permitted so long as campers are otherwise in compliance with this Order.

- F. Residential and commercial construction sites may otherwise continue to operate so long as the operation is in compliance with all terms of this Order and have hand sanitation stations on site and (1) there are less than ten (10) people on site or (2) the operations receives an express, written exemption from the Public Health Director after providing the Public Health Director sufficient information, in the Public Health Director's sole discretion, to ascertain compliance with this Order and other protocols that the Public Health Director believes are necessary for protecting public health.
- G. All persons who traveled for more than 24 hours away from Hinsdale County from March 16, 2020 until the date this Order expires, and are hereby **ordered**, under penalty of law, to "Shelter in Place" for a period of at least fourteen (14) days from the date such person returns to Hinsdale County. The Public Health Director reserves the right to extend the period of any Shelter in Place under this Paragraph G in the Public Health Director's sole discretion.
- H. All persons who travel outside of Hinsdale County for any period of time less than twenty-four (24) hours are strongly encouraged to isolate themselves for a period of at least seven (7) days from the date such person returns to Hinsdale County.
- I. This Order does not prohibit anyone from leaving a residence to provide services for Healthcare Operations, Essential Infrastructure or Essential Government Functions or leaving residences to obtain services from any Healthcare Operations.

III. FURTHER GUIDANCE

Further guidelines for social distancing are available at:

<https://www.colorado.gov/pacific/cdphe/2019-novel-coronavirus>. There is link on this website for "Statewide Community Mitigation and Large Event Guidance" issued by the Colorado Department of Health & Environment. This guidance should be followed.

IV. GENERAL INFORMATION FOR ALL PERSONS AFFECTED BY THIS ORDER

If you have questions regarding this Order, please contact the Silver Thread Public Health District at 970-944-0321.

Silver Thread Public Health District is tasked with protecting the health and welfare of the citizens of Hinsdale and Mineral Counties by investigating and controlling the causes of epidemic and communicable disease and prohibiting the gathering of people when necessary to protect public health. This Order is necessary to control any potential transmission of disease to others and to

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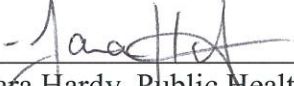
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protect public health. See section 25-1-508, Colorado Revised Statutes. Immediate issuance of this Order is necessary for the preservation of public health, safety, or welfare and is being done due to the public health emergency.

Any person aggrieved and affected by this Order has the right to request judicial review by filing an action with the Hinsdale County or Mineral 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.

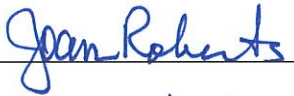
This Order is in effect until midnight Mountain Time April 8, 2020, and is subject to continuing review by the Public Health Director of Silver Thread Public Health District.

Failure to comply with this Order is subject to criminal penalties. Silver Thread Public Health District, however, is committed to assisting persons to comply with this Order through education and providing guidance.



Tara Hardy, Public Health Director
Date: 3/23/2020
Time: 3:20 pm.

I, Joan Roberts, who is the Clerk of Hinsdale County hereby acknowledges receipt of this Order



Date: 3/23/2020
Time: 3:20 pm

