

Department of Public Health and Environment

GRACE FRANKLIN, DIRECTOR

PUBLIC HEALTH AGENCY ORDER # 2020 - 01

Dated March 16, 2020, at 10:00 A.M. MST

LIMITING GATHERINGS OF PEOPLE AS NECESSARY TO PROTECT PUBLIC HEALTH

Pursuant to its legal authority set forth in Colorado Revised Statutes §§ 25-1-506, 25-1-508 and other applicable authority, the Director of the San Miguel County Department Health and Environment ("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.

FINDINGS

1. COVID-19 was first detected in Wuhan, China in late 2019, and since then has spread to over 60 countries including the United States. There are 131 known presumptive positive cases of COVID-19 in Colorado as of March 16, 2020, and there is every expectation that more cases will be diagnosed.
2. COVID-19 is a respiratory illness transmitted like other respiratory illness through person-to-person contact or by contact with surfaces contaminated with the virus. Persons infected with COVID-19 may become symptomatic anywhere from two to fourteen days after exposure. Symptoms include fever, cough or shortness of breath or difficulty breathing.

3. Individuals with serious chronic health conditions and older adults are most at risk for becoming very ill with this disease.

4. On March 10, 2020, the Governor of Colorado declared a State of Emergency related to the presence of COVID-19 in the State. CDPHE has confirmed that COVID-19 continues to spread throughout the State of Colorado.

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

6. A significant number of Coloradans are 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 to deliver necessary healthcare to the public. Colorado is experiencing a rapid increase in COVID-19 transmission that threatens the health of residents and risks overwhelming the healthcare system in the state of Colorado.

7. Limiting the number of people who may gather in the unincorporated areas of the county and within all municipalities within the territorial limits of the county is necessary for the protection of public health. The age, condition and health of a significant portion of the population in San Miguel County place 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 the high-country counties currently affected by community transmission, to deliver necessary healthcare to the public.

8. 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 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.

ORDER

The Public Health Director has determined, in consultation with the County Medical Officer, that the following Order is necessary for the protection of the public health. This Order shall apply to all unincorporated areas of San Miguel County, Colorado and all incorporated (municipal) areas that do not have their own public health agency, to wit: Town of Telluride, Town of Norwood, Town of Ophir, and the Town of Sawpit, Colorado.

I. DEFINITIONS

For purposes of 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 and bars (regardless of capacity); 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 bars and restaurants. “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 (e.g., Clark’s, The Market), hardware stores, or medical service

providers (e.g., hospitals, doctor's offices, medical clinics, dental offices, physical therapists, pharmacies).

II. ORDER

- A. All Events of 50 people or more, including employees and attendees, are prohibited effective immediately.
- B. All businesses serving food and beverages (e.g. bars and restaurants) shall close for 48 hours effective as of **MARCH 16, 2020 at 3:00 P.M. MST** in order to sanitize and reevaluate their space and services in order to follow appropriate social distancing guidelines and have no more than 50 people at any given time in the establishment, including employees and attendees.

Upon re-opening on **MARCH 18, 2020 at 3:00 P.M. MST**, businesses serving food and beverages must adhere to the following:

- a. Social distancing recommendations must be met. These include limiting contact of people within 6 feet from each other for 10 minutes or longer, and any other guidance. *See* Section III, below.
- b. Proper hand hygiene and sanitation must be readily available to all attendees and employees.
- c. Environmental cleaning guidelines from the US Centers for Disease Control and Prevention (CDC) shall be followed (e.g., clean and disinfect high touch surfaces daily or more frequently).

III. FURTHER GUIDANCE

Further guidelines for social distance are available at <https://www.sanmiguelcountyco.gov/590/Coronavirus>

IV. GENERAL INFORMATION FOR ALL PERSONS AFFECTED BY THIS ORDER

If you have questions regarding this Order, please contact the San Miguel County Health Department at 970.728.4289.

Any person aggrieved and affected by this Order has the right to request judicial review by filing an action with the San Miguel 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 3, 2020, and is subject to continuing review by the Public Health Director.

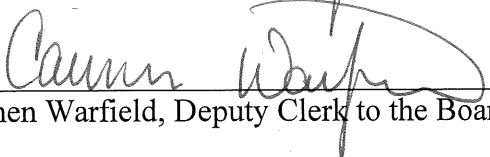
FAILURE TO COMPLY WITH THIS ORDER IS SUBJECT TO THE PENALTIES CONTAINED IN SECTIONS 25-1-516 AND 18-1.3-501, COLORADO REVISED STATUTES, INCLUDING A FINE OF UP TO FIVE THOUSAND (5,000) DOLLARS AND IMPRISONMENT IN THE COUNTY JAIL FOR UP TO EIGHTEEN MONTHS.



Grace Franklin
Public Health Director

03/16/2020
Date

I, Carmen Warfield, hereby acknowledge receipt of this Order.



Carmen Warfield, Deputy Clerk to the Board

3/16/2020
Date

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To protect and preserve the health and environment by providing high-quality public health care services and environmental protection services to the people of San Miguel County.