



Department of
Public Health
& Environment

APRIL 6, 2020

**STANDING PUBLIC HEALTH ORDER
RELATED TO SOCIAL DISTANCING, GATHERING, AND BUSINESS OPERATIONS**

This Order:

- Supersedes the Standing Public Health Order Related to Events, Bars, and Restaurants dated March 18, 2020, as amended.
- Extends until April 30, 2020 the Standing Public Health Order Related to Essential Eagle County Governmental Functions dated March 14, 2020.
- Sets forth requirements and restrictions for, as well as limitations on, social distancing, gatherings, and the businesses and facilities that may remain open to slow the spread of the COVID-19 virus.

Pursuant to section 25-1-506 (2)(a)(I), Colorado Revised Statutes, this Order is effective immediately within the entirety of Eagle County, including all towns within the County, until April 30, 2020.

On March 6, 2020, Eagle County declared a Local Disaster Emergency related to COVID-19. 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, and community transmission of the illness has been confirmed in Eagle County. The spread of the illness continues in Eagle County despite the Colorado Governor's recent Executive Order closing ski resorts and local Public Health Orders limiting events. The federal government is also urging that groups be limited to 10 persons and is urging against leaving the home, including to visit grocery stores, restaurants, bars, and food courts until at least April 30, 2020.

The age, condition, and health of a significant portion of the population in Eagle 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 the high country counties currently affected by community transmission, to deliver necessary healthcare to the public.

The use of social distancing, limitations on the size of gatherings, and prohibiting unnecessary business operations 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, 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 local 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. All persons in Eagle County, including in all towns, must follow the requirements stated herein.

I. PURPOSE AND INTENT

The purpose of this Order is to limit most activities and achieve adequate social distancing to slow the spread of COVID-19 in the community. This Order should not be construed to prohibit all business or retail operations, which may be allowed under any executive or public health orders of the State of Colorado, but rather to appropriately limit them and require risk mitigation measures set forth in Section IV, below.

II. ESSENTIAL SERVICES AND BUSINESSES

For the purposes of this section, businesses defined as “Critical Business” and “Critical Government Function” in the Colorado Department of Public Health and Environment (“CDPHE”) [Order 20-24](#) and any subsequent amended version will be considered “Essential Services and

Businesses” in Eagle County unless otherwise noted below in Sections III. and IV. All Essential Services and Businesses must adhere to the applicable social distancing requirements in Section IV, below. In addition to those “Critical Businesses” and “Critical Government Functions” set forth in [Order 20-24](#), the following shall be deemed Essential Services and Businesses within Eagle County:

- A. Libraries;
- B. Any emergency facilities necessary for the response to the COVID-19 pandemic;
- C. Lawn and landscaping business for basic maintenance operations only;
- D. Bike service and repair
- E. Minimum Basic Operations of a business are permitted, as defined below.

III. DEFINITIONS

For purposes of this Order:

- A. “Close Contact” means defined as a person who is a member of the same household, a partner, or someone that has shared a personal item such as drinking glass, food, or food utensil.
- B. “Essential Services and Businesses” means a business deemed necessary for the community to continue to function and the closure of which would present health, safety, and welfare concerns for the citizens of Eagle County.
- C. An “Event” is an indoor or outdoor gathering for business, social, or recreational activities, or a location that allows for such activities, including, but not limited to, attendance at public or private schools, community, civic, public, leisure, social, or sporting events; parades, concerts, festivals, assemblies, places of worship, weddings, birthday parties, block parties, conventions, and fundraisers; Recreational Areas with High-Touch Equipment or that Encourage Gathering; Shared Facilities for Recreational Activities Outside of Residences; and similar activities or locations. An “Event” also includes business operations at retail stores, except those specifically exempted in Section II, above.
 - a. However, “Event” does not include:
 - i. Regular employee attendance at places of employment that do not serve customers in person or to service technicians working in private homes, as long as social distancing requirements are met, as described in Section IV, below.

- ii. “Event” does not apply to any Essential Services or Businesses, or activities set forth in Section II, above.
 - iii. “Event” does not include individual households.
- D. “Local Residents” are those persons whose primary residence is in Eagle County. In addition:
 - i. In the case of the use of Parks, Open Spaces, or Open Lands in the Upper Colorado River area, “Local Residents” include residents of Grand County.
 - ii. In the case of the use of Parks, Open Spaces, or Open Lands in the Roaring Fork River area, “Local Residents” include residents of Garfield and Pitkin Counties.
- E. “Minimum Basic Operations” are the minimum necessary activities to (1) maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions; or (2) facilitate employees of the business being able to continue to work remotely from their Residences are allowable pursuant to this Order. Any business supporting Minimum Basic Operations must comply at all times with the applicable requirements in Section IV, below.
- F. “Parks, Open Spaces, or Open Lands,” includes outdoor recreational facilities without high-touch equipment or shared facilities, and includes but is not limited to public rights of way, trailheads and trails, boat ramps and the rivers they access, dispersed camping on Federal public lands in accordance with the rules, regulations, and requirements of the managing agency, and the parking facilities to access such areas.
- G. “Recreational Areas with High-Touch Equipment or that Encourage Gathering” include, without limitation, golf courses; tennis courts, basketball courts, and other types of ball courts; rock parks and climbing walls; pools, saunas, and spas; shooting and archery ranges; and gyms, disc golf, and other similar courses.
- H. “Self-Isolate” is specific to a person with illness and means to stay at home, maintain distance (minimum of 6 feet) away from other household members, do not share a bedroom or bathroom, wear a mask to cover your mouth and nose when in common areas within the household, and do not leave the home unless seeking medical care.
- I. “Self-Quarantine” is specific to a person who does not have symptoms but has been exposed to someone with illness or someone confirmed to have COVID-19 and means to stay home, do not go to public places unless seeking medical care, and avoid contact with other people until the incubation period for COVID-19 is over, 14 days.

- J. “Shared facilities for Recreational Activities Outside of Residences” include, without limitation, playgrounds, sport or recreational fields, outdoor gym equipment, picnic areas, developed campgrounds, dog parks (dogs must be leashed at such facilities for the duration of this order), and barbeque areas.
- K. “Symptoms” means the symptoms of COVID-19 infection, and can include headache, sore throat, fever, dry cough, inability to taste and smell, shortness of breath, ear aches, body aches, diarrhea, fatigue, vomiting and abdominal pain.

IV. **ORDER**

A. **Requirement to Follow State Orders**

1. In addition to adhering to the restrictions herein, all persons must adhere to the restrictions in any other Public Health Order or Executive Order that applies to Eagle County, such as those issued by the State of Colorado or its agencies, including CDPHE Order 20-24 Implementing Stay at Home Requirements, as amended. Where the restrictions in another applicable Public Health Order conflict with this Order, the stricter applies.
2. All Events are prohibited, regardless of the number of persons attending, unless another provision of this order provides an exception.
3. All Events at bars, taverns, taprooms, tasting rooms, brewpubs, distillery pubs, clubs, cigar bars, coffee houses, restaurants, gymnasiums, movie and performance theaters, concert halls, museums, music halls (collectively “places of public accommodation”), and similar establishments are prohibited, regardless of the number of attendees, except that such establishments may provide takeout and delivery of food, so long as they are otherwise in compliance with this Order.
 - i. For the avoidance of doubt, this means that such places of public accommodation hereby are closed, except for takeout and delivery food service.
 - ii. Service of alcohol by the drink for consumption at places of public accommodation is also prohibited, except that such facilities may sell alcohol on a to-go basis if not otherwise prohibited by law.
 - iii. A place of public accommodation may allow up to five members of the public at one time in the establishment for the purpose of picking up

food or beverage orders, as long as social distancing of at least six feet occurs.

B. Requirements Related to Symptomatic Persons and Exposures

1. Individuals experiencing symptoms of COVID-19 must Self-Isolate as defined in Section III, above, for seven (7) days from the start of symptoms AND 72 hours until fever free (without the use of any fever-reducing medications), whichever is longer and as long as your symptoms are significantly improving. This includes people that have tested positive, people awaiting their test results, and people who have symptoms but have not been tested.
2. Individuals in close contact to someone with confirmed COVID-19 disease or someone who has symptoms but has not been tested will Self-Quarantine, as defined in Section III, above, for 14 days at their place of residence. For healthcare workers and others responding to the COVID-19 pandemic, more specific guidance will be provided by ECPHE.
3. Employers do not need and should not require negative test results for anyone that has completed the self-isolation requirements in subsection (B)(1), above, or the self-quarantine requirements in subsection (B)(2), above.
4. In the event an employee has confirmed COVID-19 disease or has symptoms but was not tested, employers should not recommend testing for any other employees as a condition of employment.

C. Limits on Number of Persons that May Gather

1. Events of any size are prohibited except insofar as is necessary to visit or effectively participate in Essential Services or Businesses listed in Section II, above.

D. Limitations on Outdoor Recreation Activities

1. Outdoor recreation activity at Parks, Open Spaces, or Open Lands is limited to Local Residents. All users must observe and adhere to the applicable Social Distancing requirements set forth in this Section IV. Any entity managing such lands has the authority to implement measures necessary to ensure social distance requirements are easily met, including reducing crowding and other measures that further reduce risk of transmission of COVID-19. This may include but is not limited to restricting numbers of entrants, closing areas to vehicular access, or closure to all public access.

2. The use of Recreational Areas with High-Touch Equipment or that Encourage Gathering is prohibited and those areas are closed to public access.
3. The use of Shared Facilities for Recreational Activities Outside of Residences is prohibited, and all such areas shall be closed to public access.

E. Social Distancing Requirements for Non-Household Members

1. To reduce the risk of disease transmission, individuals that are not household members must:
 - a. Maintain at least a six-foot distance from other individuals.
 - b. Not give handshakes or fist bumps.
 - c. Wash hands with soap and water for at least twenty seconds as frequently as possible or use hand sanitizer.
2. Non-medical, cloth face-coverings for the nose and mouth are recommended for use whenever accessing an Essential Service or Business.

F. Social Distancing Requirements for Essential Services and Businesses

1. For all Essential Services and Businesses, the following steps must be employed to mitigate risks:
 - i. Older adults (age 60 and older) and individuals with underlying medical conditions that are at increased risk of serious COVID-19 are encouraged not to attend (including employees) or to tele-work where possible.
 - ii. Employees must be screened for COVID-19 symptoms each day and excluded if symptomatic as described in the self-isolation requirements in subsection (B)(1).
 - iii. Social distancing measures must be employed to ensure that employees and people from the public can easily maintain a minimum of 6 foot distance from each other, except for momentary circumstances to accept payment, deliver goods, walk past or perform otherwise necessary tasks. Achieving adequate social distancing may require limiting the number of people that can enter or participate in an Essential Service or Business at any one time.
 - iv. In Essential Services or Businesses where activities necessitate that employees are within the minimum of 6 foot distance from each other, beyond the momentary circumstances described in subsection iii. above, employees must cover their nose and mouth with a non-medical, cloth face-covering.

- v. Vehicles other than those used for public transit that transport multiple employees of Essential Services and Businesses are a higher-risk environment. To reduce the risks of COVID-19 exposure, the following requirements apply:
 - 1. Employees must be screened for COVID-19 symptoms each day and be excluded if symptomatic, as described in the self-isolation requirements in subsection (B)(1)
 - 2. Employees must use hand sanitizer upon entering the vehicle and must cover their nose and mouth with a non-medical, cloth face-covering when in vehicles with more than 1 person;
 - 3. The number of passengers must be limited to 50% of a vehicle's occupancy to increase the distance between passengers to the largest extent possible;
 - 4. Windows will remain open and/or ventilation will be increased;
 - 5. Vehicles will have high-touch surfaces disinfected daily.
- vi. Where lines may form at a facility, six-foot increments at a minimum must be marked, establishing where individuals should stand to maintain adequate social distancing;
- vii. Signs at the entrance of a facility must be posted informing all employees and customers that they should: avoid entering the facility if they have a cough or fever; maintain a minimum six-foot distance from one another; sneeze and cough into one's elbow; not shake hands or engage in any unnecessary physical contact.
- viii. Hand sanitizer, soap and water, or effective disinfectant should be made available at or near the entrance of the facility and in other appropriate areas for use by attendees, the public, and employees, and in locations where there is high-frequency employee interaction with members of the public (e.g. cashiers);
- ix. Contactless payment systems should be provided, or, if not feasible to do so, all payment portals, pens, and styluses must be disinfected after each use; and
- x. Other high-touch surfaces should be regularly disinfected and environmental cleaning guidelines from the US Centers for Disease

Control and Prevention (CDC) must be followed (e.g., clean and disinfect high touch surfaces daily or more frequently).

G. Additional Social Distancing Requirements for Employers

1. All employers providing Essential Services or Businesses must prepare a “Social Distancing Protocol” by 5:00 pm on April 9 for each of their facilities or operational locations in Eagle County frequented by the public or employees. The Social Distancing Protocol must be substantially in the form attached to this Order as Appendix A and must address the social distancing requirements in subsection F, above.
2. The Social Distancing Protocol must be posted at or near the entrance of the relevant facility, and shall be easily viewable by the public and employees. A copy of the Social Distancing Protocol must also be provided to each employee performing work at the facility.
3. All employers providing Essential Services or Businesses shall implement the Social Distancing Protocol and provide evidence of its implementation to any authority enforcing this Order upon demand.
4. For construction businesses, additional guidance for social distance has been developed by the State of Colorado and must be consulted in addition to the requirements outlined in this Section IV.
5. Failure to develop and post a Social Distancing Protocol or inability to meet the requirements as outlined above may result in the closure of a business.

V. EXTENSION OF ORDER RELATED TO ESSENTIAL GOVERNMENTAL FUNCTIONS

The Standing Public Health Order Related to Essential Eagle County Governmental Functions dated March 14, 2020 is extended to until April 30, 2020. The Board of Eagle County Commissioners should continue to take actions necessary to protect essential county functions.

VI. GENERAL INFORMATION FOR ALL PERSONS AFFECTED BY THIS ORDER

ECPHE is tasked with protecting the health and welfare of the citizens of Eagle 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.

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

Heath Harmon
Public Health & Environment Director

Date

Appendix A: Social Distancing Protocol

Business name: Click or tap here to enter text.

Facility Address: Click or tap here to enter text.

Approximate gross square footage of space open to the public: Click or tap here to enter

Businesses must implement all applicable measures listed below, and be prepared to explain why any measure that is not implemented is inapplicable to the business.

Signage:

- Signage at each public entrance of the facility or location to inform all employees and customers that they should: avoid entering the facility or location if they have a cough or fever; maintain a minimum six-foot distance from one another; sneeze and cough into a cloth or tissue or, if not available, into one's elbow; and not shake hands or engage in any unnecessary physical contact.
 - Signage posting a copy of the Social Distancing Protocol at each public entrance to the facility or location.
-

Measures To Protect Employee Health (check all that apply to the facility):

- Everyone who can carry out their work duties from home has been directed to do so.

All employees have been told not to come to work if sick (including any of the following- headache, sore throat, fever, dry cough, recent inability to taste and smell, shortness of breath, ear aches, body aches, diarrhea, fatigue, vomiting and abdominal pain).

Symptom checks are being conducted before employees may enter the work space.

- All desks, individual work stations or work areas are separated by at least six feet.
- Break rooms, bathrooms, and other common areas are being disinfected frequently, on the following schedule
 - Break rooms: Click or tap here to enter text
 - Bathrooms: Click or tap here to enter text
 - Other (Click or tap here to enter text.): Click or tap here to enter text

Disinfectant and related supplies are available to all employees at their workstations and the following location(s): (Click or tap here to enter text):Click or tap here to enter text.

Hand sanitizer effective against COVID-19 is available to all employees at workstations and the following location(s): (Click or tap here to enter text) : Click or tap here to enter text.

Soap and water are available to all employees at the following location(s):

Copies of this Protocol have been distributed to all employees.

Optional—Describe other measures:

Measures To Prevent Crowds From Gathering (check all that apply to the facility):

Limit the number of customers in the store at any one time to _____ which allows for customers and employees to easily maintain at least six-foot distance from one another at all practicable times.

Post an employee at the door to ensure that the maximum number of customers in the facility set forth above is not exceeded.

Placing per-person limits on goods that are selling out quickly to reduce crowds and lines.

Explain

Optional—Describe other measures: Click or tap here to enter

Appendix A: Social Distancing Protocol

Measures To Keep People At Least Six Feet Apart (check all that apply to the facility)

- Placing signs outside the store, facility or location reminding people to be at least six feet apart, including when in line.
 - Placing tape or other markings at least six feet apart in customer line areas inside the store and on sidewalks to public entrances with signs directing customers to use the markings to maintain distance.
 - Separate order areas from delivery areas to prevent customers from gathering.
 - All employees have been instructed to maintain at least six feet distance from customers and from each other, except employees may momentarily come closer when necessary to accept payment, deliver goods or services, or as otherwise necessary.
 - Optional—Describe other measures: [Click or tap here to enter](#)
-

Measures To Prevent Unnecessary Contact (check all that apply to the facility):

- Preventing people from self-serving any items that are food-related.
 - Lids for cups and food-bar type items are provided by staff; not to customers to grab.
 - Bulk-item food bins are not available for customer self-service use.
 - Providing for contactless payment systems or, if not feasible, sanitizing payment systems regularly.
Describe:
 - Providing curb-side drop-off/pick-up of products.
 - Optional—Describe other measures (e.g. providing senior-only hours): [Click or tap here to enter text.](#)
-

Measures To Increase Sanitization (check all that apply to the facility):

- Disinfecting wipes that are effective against COVID-19 are available near shopping carts and shopping baskets.
 - Employee(s) assigned to disinfect carts and baskets regularly.
 - Hand sanitizer, soap and water, or effective disinfectant is available to the public at or near the entrance of the facility, at checkout counters, and anywhere else inside the store or immediately outside where people have direct interactions.
 - Disinfecting all payment portals, pens, and styluses after each use.
 - Disinfecting all high-contact surfaces frequently.
 - Optional—Describe other measures: [Click or tap here to enter](#)
-

Measures To Reduce Exposures in Employee Transportation

- Employee(s) are screened for COVID-19 symptoms each day and excluded if symptomatic.
- Hand sanitizer is used by each employee when entering the vehicle.
- The number of passengers has been reduced by 50% of the vehicles occupancy and passengers sit in locations to maximize the distance between one another.
- Employees will wear a non-medical, cloth face-covering when in vehicle containing more than 1 person.
- Windows will remain open and ventilation is increased.
- Disinfecting all high-contact surfaces of the vehicle will be done at the end of each day.

* Any additional measures not included here should be listed on separate pages, which the business should attach to this document.

You may contact the following person with any questions or comments about this protocol:

Name: [Click or tap here to enter text.](#)

Phone number: