

MAY 29, 2020
STANDING PUBLIC HEALTH ORDER
RELATED TO COVID-19 PANDEMIC SAFER AT HOME PROTECTIVE MEASURES
AND PROTECTIVE MEASURES FOR LIMITED REOPENING OF CERTAIN
BUSINESSES AND OPERATIONS IN GRAND COUNTY

GRAND COUNTY PUBLIC HEALTH DIRECTOR
MAY 29, 2020

PURPOSE

This Public Health Order:

1. Is being issued to limit the health impacts of COVID-19.
2. Implements protective measures to allow limited reopening and operation of certain, specifically-identified industries and businesses in Grand County while maintaining Best Practice Protective Measures, including safe and sustainable levels of social distancing.
3. Continues social distancing requirements for all residents and Stay-at-Home requirements for vulnerable populations pursuant Colorado Governor's Executive Order D 2020-017.

EFFECTIVE DATE AND TIME

This Public Health Order will become effective immediately, and will remain in effect until **August 31, 2020**, unless specifically superseded, extended, or terminated by order of the Grand County Public Health (GCPH) Director. This order is issued in part under the authority granted to GCPH pursuant to the Colorado Department of Public Health and Environment's (CDPHE) May 28, 2020 approval of GCPH's formal variance request to portions of Executive Order D 20 044 and Public Health Order 20-28. Accordingly, consistent with the terms of the CDPHE variance approval, should the number of COVID-19 positive cases increase by fifteen (15) within a two-week period, this public order will automatically rescind. The State of Colorado has also reserved the right to modify or rescind the May 28, 2020 variance approval as circumstances warrant.

EFFECTIVE AREA OF ORDER

This Public Health Order is effective within the entirety of Grand County, including all towns within Grand County.

ORDER

1. Generally applicable Best Practice Protective Measures to be followed by all citizens, businesses, and visitors while in Grand County include:
 - a. Social Distancing
 - i. Keeping six (6) feet of physical distance between individuals at all times

- ii. Washing hands frequently with soap and water. Using hand sanitizer with at least 60% alcohol
- iii. Covering coughs and sneezes
- iv. Frequent sanitation of high touch surfaces
- v. Not shaking hands
- vi. Wearing face coverings indoors and within six (6) feet of others
- vii. Monitoring signs and symptoms of employees and participants of gatherings
- viii. Sick and symptomatic people stay at home and excluded from work and activities
- ix. Gathering number limit per state orders
- b. Travel
 - i. Vulnerable individuals travel for necessary activities only
 - ii. Travel guidance per state order
- c. Healthcare System
 - i. Maintain adequate healthcare capacity
- d. Any business, public or private gathering, or organized recreation that intends to open or take place while Governor Polis' and the Colorado Department of Public Health and Environment's (CDPHE) "Safer at Home" Order and/or this May 29, 2020, local public health order remain in place must also comply with the Grand County COVID-19 Suppression Plan. Compliance includes:
 - i. Businesses, employers and sole proprietors shall comply with business requirements, best practices, and guidance established by GCPH and the CDPHE, as well as any applicable restaurant, lodging, places of worship, fitness or recreation specific protective measures contained in this May 29, 2020 local public health order. Guidance documents can be found on the Grand County website at co.grand.co.us/covid19.
 - ii. Businesses, employers and sole proprietors shall submit a [Compliance Verification Form](#) through Grand County Public Health and display approved acceptance documentation prior to opening and receiving customers. The Verification Form can be found on the Grand County website at co.grand.co.us/covid19.
 - iii. Any business, public or private gathering, or organized recreation that is not in compliance with this and other applicable State and local public health orders shall cease operation or activity.

Please note that due to the constantly changing course of the COVID-19 pandemic and local health, economic, social, and resource factors, local, state and federal public health guidance and compliance documents should be consulted regularly as they will necessarily be changing over time.

These basic principles for responding to COVID-19 are critical elements of the Colorado Department of Health and Environment (CDPHE)-approved Grand County COVID-19 Suppression Plan. The Suppression Plan is a key part of why Grand County has been granted a variance for limited local control over COVID-19 response and should always be considered as critical protective measures guidance in all phases at all times.

2. The specific provisions of the State’s CDPHE and Executive Orders pertaining to the operations of restaurants, lodging (including short-term rentals), places of worship, indoor fitness, and outdoor recreation are modified as set forth in the following attachments:
 - a. Restaurant operations per Colorado State Fourth Amended Public Health Order 20-28 Safer at Home
 - b. Lodging Attachment to May 29, 2020 GCPH Public Health Order
 - c. Worship Attachment to May 29, 2020 GCPH Public Health Order
 - d. Fitness and Recreation Attachment to May 29, 2020 GCPH Public Health Order

3. To the extent there is no conflict with the specific Restaurant, Lodging, Worship, and Fitness and Recreation provisions of this May 29, 2020 Public Health Order and attachments hereto, State social distancing requirements, and prohibitions and restrictions on certain events, gatherings, business operations, and other activities remain in full force in Grand County.

CONTINUED EFFECTIVENESS OF PRIOR ORDERS

The specific protective measures identified in this order for restaurants, lodging, worship, fitness, and recreational activities are congruent with those contained in the state Safer at Home orders. However, except for those specifically identified measures contained herein, this order is not intended to limit, rescind, alter, or amend any other applicable public health orders, restrictions, or requirements of the federal, state or local governments.

LOCAL ORDER’S STANDARDS CONTROL

This order is complementary to CDPHE Public Health Order 20-28 and other orders of CDPHE or the Governor of Colorado. Therefore, this order should not be relied upon solely. To the extent any state orders or laws conflict with the express terms of this order, the provisions of this local May 29, 2020 GCPH Order control, regardless of whether the State orders or laws are more or less restrictive than what is set forth herein.

All members of the public are responsible for following all other provisions of the Governor’s orders, CDPHE orders, and local orders that do not conflict with the specific protective measures set forth herein. Individuals should be aware that new orders are being issued on an ongoing basis from Governor Polis and CDPHE.

FINDINGS

On March 11, 2020, the World Health Organization declared the worldwide outbreak of COVID-19 virus a “pandemic” and on March 13, 2020, the President of the United States issued a Federal Emergency Declaration for the Coronavirus pandemic. Colorado and Grand County have also declared pandemic disaster emergencies due to the presence of COVID-19 in the state. Since that time, the Governor has taken numerous steps to implement measures to mitigate the spread of disease within Colorado, and has further required that several public health orders be issued to

implement his orders.

The age, condition, and health of a significant portion of the population in Grand 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. Moreover, 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, especially where health care resources are limited.

The limitations on human contact that health experts have determined decrease the risk of transmission of COVID-19 to our most vulnerable populations include: limits on large gatherings; business closures and operations restrictions; visitor restrictions for at risk populations, and; the use of social distancing. Public health experts recommend we practice social distancing, or maintaining a physical distance of six (6) feet or more from other people, as a way to slow the spread of COVID-19. Evidence shows that social distancing and the Governor's Stay-at-Home Executive Order D 2020 017, as amended, have helped to slow the increase of cases and rate of infection.

Implementation of these tactics are especially important for people who are over 65 years old and those with chronic health conditions due to their higher risk of severe illness and death from COVID-19. The current and future COVID-19 pandemic related orders of the State and Local Public Health Departments 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.

Governor's Executive Order D 2020-044 and CDPHE Order 20-28 (Safer at Home Orders) recognize that Local Public Health Agencies are in the best position to render guidance, advice and public health orders that are responsive to the health, safety, and welfare of a community. GCPH requested a limited variance from some of the provisions of the state Safer at Home Orders to better address the needs of Grand County. That limited variance was granted in part on May 28, 2020. The variance approves the Grand County COVID-19 Suppression Plan and specific requests for variances, consistent with that Suppression Plan, from the restaurant, lodging, worship, fitness and recreation provisions of the state Safer at Home Orders.

Relief from these provisions will allow Grand County to tailor its adaptive responses and future public health orders to the COVID-19 pandemic in a manner that best addresses our county's needs based on science, data, and local factors. The primary objectives of GCPH are to protect the health and welfare of the local community, suppress and stem the transmission rate of the COVID-19 virus in Grand County, and by extension, throughout the state, improve the mental health of our citizens, and continue to help protect and recover the economic health of our businesses, workforce, and citizens as a whole.

Of the thirteen (13) positive COVID-19 cases in Grand County since March 17, 2020, eight (8) cases have been diagnosed in the week leading up to this variance. Initial low rates and numbers were a direct reflection of both aggressive social distancing restrictions as well as the social distancing that naturally occurs in a low population, large land mass county such as ours. With an increase in overall operations, strict disease suppression measures must be adhered to among all persons in the county. This is vital to the success and continuation of this public health order.

The first two phases of the CDPHE approved Grand County Suppression Plan mirror the state’s Stay-at-Home and Safer at Home Orders. Currently, GCPH believes local conditions support an incremental transition from the Suppression Plan’s Phase 2 to Phase 3 (*Protect Your Neighbor*), in a manner that follows the state’s Safer at Home Order, while allowing more county businesses, including restaurants, regulated short-term lodging, fitness and recreation facilities, and houses of worship to resume limited operations.

The success of Grand County in stemming the tide of COVID-19 continues to come at a great cost to the social, mental, and economic health of our community. The mental wellness and economic devastation toll is tremendous, and is growing by the day.

GCPH finds that careful, medically informed community action outside the strict constraints of the State Orders is appropriate at this time. Allowing Grand County to customize its restrictions specifically to the conditions in the county will provide for comprehensive community recovery, both in terms of health and economy. GCPH and the local medical providers now have adequate testing and investigatory capacities to monitor the health of the community. While the hope is that the community can continue to “reopen”, GCPH will have the information needed to, if necessary, implement more stringent social distancing and human contact protective measures to slow the transmission and prevalence of the virus in our communities.

This Local Public Health Order implements a number of measures that will allow many to return to work while we maintain a sustainable level of social distancing. In particular, this order continues Social Distancing Requirements for everyone in the community. This order also continues the State Stay-at-Home requirements for vulnerable individuals. The order, however, permits a more aggressive, albeit still limited, reopening of commerce and business in Grand County. While it is possible that stricter protective measures could be reimposed at some point as mandated by the CDPHE variance approval conditions, the hope and goal is to continue to increase capacities to identify and suppress the COVID-19 virus to levels that are manageable in our community until a long term solution such as a vaccine can be developed and implemented.

AUTHORITY AND ENFORCEMENT

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, the authority granted by CDPHE’s May 28, 2020 variance, as well as other applicable laws, rules, regulations, orders, and declarations. Under these laws and regulations, the Grand County Public Health Director: has the duty to investigate and control the causes of epidemic or communicable diseases and conditions affecting public health; to prohibit the gatherings of people to protect the 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 Grand County as Grand County Public Health may find necessary for the protection of the public health.

FAILURE TO COMPLY WITH THIS ORDER IS, IN ADDITION TO THE ENFORCEMENT AUTHORITIES AVAILABLE TO STATE AUTHORITIES, SUBJECT

TO LOCAL ENFORCEMENT AND 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. FURTHERMORE, PURSUANT TO SECTION 14.8(K) OF THE GRAND COUNTY ZONING REGULATIONS, FAILURE TO COMPLY WITH THE SHORT TERM RENTAL PROVISIONS OF THIS ORDER MAY LEAD TO SUSPENSION OR REVOCATION OF THE SUBJECT PROPERTY'S GRAND COUNTY ISSUED SHORT TERM RENTAL PERMIT.

FURTHER GUIDANCE & INFORMATION RESOURCES

1. co.grand.co.us/COVID19
2. covid19.colorado.gov/safer-at-home
3. covid19.colorado.gov/safer-at-home-faq
4. covid19.colorado.gov
5. cdc.gov/coronavirus

To report violations of this order or others, please visit CO.GRAND.CO.US/VIOLATION.

Grand County Public Health is tasked with protecting the health and welfare of the citizens of Grand 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 Grand 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.



5-29-29

E. Brene Belew-LaDue, RN, BSN-Director
Grand County Public Health

Date

LODGING ATTACHMENT TO MAY 29, 2020 GRAND COUNTY PUBLIC HEALTH ORDER

Protective Measures

Lodging and other places of accommodation in Grand County may resume if the business or homeowner can demonstrate compliance, as applicable, with the requirements contained in the Colorado Department of Public Health and Environment (CDPHE) Public Health Order 20-28 Section II.I, this May 29, 2020 local public health order, and the Grand County Public Health Suppression Plan. It is understood that a private residence short-term rental (STR) and some other properties might not have employees, but if they do, the employee provisions of the state and local orders, the GCPH Suppression Plan, and this May 29, 2020 GCPH Public Health Order are to be complied with.

Moreover, lodging owners and operators should understand the uncertainty of the future of COVID-19 in Grand County. It is the intent of GCPH and the GCPH Suppression Plan to be responsive to health and other local factors and needs. Accordingly, it is possible for future public health orders to be issued locally further regulating, or temporarily suspending, short-term lodging until the safety of the community can once again be assured. Local GCPH Suppression Plan requirements include:

1. Owners, managers, operators, and/or employers must implement the following measures regarding the workplace to minimize disease transmission:
 - a. **Customer Information:** Keep a copy of the driver's license, or other sufficient identification for each group checking in, for thirty (30) days for the purposes of epidemiological tracking by the health department, if needed.
 - b. **Cleaning and Disinfection:** Elevate and increase frequency of cleaning practices, including cleaning and disinfection of high touch areas. Perform deep clean/disinfection between each guest, including a complete change of all linens, pillows, blankets, towels, etc. even if they were not used.
covid19.colorado.gov/cleaning-guidance
 - c. **Social Distancing:** Enforce six (6) foot social distancing guidelines in all common areas.
 - d. **Food Service:** Comply with Colorado State Fourth Amended Public Health Order 20-28 Safer at Home
 - e. **Communal Areas Closures:** Keep all convention rooms, meeting rooms and indoor gathering spaces closed.
 - f. **Pool, Hot Tub and Sauna Closures:** All indoor and outdoor communal pools, hot tubs and saunas shall remain closed until further notice from CDPHE. This includes home, condo and apartment association pools, hot tubs and saunas.
 - g. **On-Site Exercise Facilities Occupancy:** Limit the number of patrons in on-site gym and workout facilities to no more than two (2) people at a time with appropriate social distancing, unless greater capacity is approved by GCPH. If more than one household occupies the gym both parties should wear face coverings.
 - h. **Occupancy Rest Period:** Recommend 24-hour rest period with adequate sanitizing and disinfecting between guests per CDPHE guidelines.

2. Lodging and accommodations must implement the following measures regarding employees and/or volunteers to minimize disease transmission:
 - a. Require the use of face coverings for all employees when interacting with guests or other employees.
 - b. Monitor employees for one of the following symptoms:
 - i. Cough/shortness of breath/difficulty breathingOr at least two of the following symptoms:
 - ii. Fever, chills/shaking with chills, muscle pain, headache, sore throat, loss of taste or smell
 - c. Employees who exhibit any signs of illness must stay home and not work for ten (10) days from symptom onset and free of fever for 72 hours.

3. Lodging and accommodations must implement the following measures to minimize disease transmission for customers:
 - a. The lodging owner, manager, or operator shall communicate the latest public protocols to ensure visitors are aware and follow the mandated orders. This includes where face coverings must be worn, restaurant and retail protocols, as well as social distancing requirements.
 - b. Require guests to wear face coverings while in indoor common areas or areas where social distancing cannot be maintained. Face coverings should never be used as a reason to not exercise social distancing protocols.

Recommendations and Guidelines:

- Check guests in and out electronically.
- Install partitions in areas of close contact with guests.
- Encourage symptomatic guests to get tested, stay in their room, and wear a face covering anytime they have to leave the room, and if they are well enough to travel, to return home.
- Discontinue housekeeping services during guest stays to prevent transmission between rooms.
- Utilize recommended cleaning guidelines co-authored by Vacation Rental Management Association and Vacation Rental Housekeeping Professionals, available at www.vrma.org, and a copy of which is attached as an exhibit hereto.

**EXHIBITS TO LODGING ATTACHMENT TO
MAY 29, 2020 GRAND COUNTY PUBLIC HEALTH ORDER**

SafeHome: Vacation Rental Management Association and Vacation Rental Housekeeping Professionals Cleaning Guidelines for COVID-19

**WORSHIP ATTACHMENT TO
MAY 29, 2020 GRAND COUNTY PUBLIC HEALTH ORDER**

Protective Measures

Places of worship are encouraged to continue online or drive-up services if practical. For any activities within a facility, or coordinated through a religious organization, places of worship are allowed to increase the number of participants, if they so choose, as outlined in the following guidelines.

1. Social distancing of at least six (6) feet shall be practised at all times between individuals or family groups. Family groups should consist only of members of a single household.
2. Limit the number of guests based on what is necessary to achieve adequate social distancing of six (6) feet or more between individuals or between family groups at all times. Provided, however, that until further notice from GCPH, no more than a total of thirty (30) people total capacity per room shall be allowed to congregate.
3. Do not allow guests to wait in the lobby or common areas or in lines outside the door. Prevent the congregating of people before and after services.
4. All guests, employees and contracted workers/volunteers shall wear a non-medical cloth face covering over the nose and mouth while on-premises, except where doing so would compromise the individual's health.
5. Post signage at entrances and throughout the facility to require face coverings and to remind guests of social distancing and proper hygiene guidelines.
6. Make reasonable accommodations for vulnerable individuals; including but not limited to additional service time offerings, online viewing, designated seating areas and exit, or other mechanisms to reduce potential exposure. Vulnerable individuals are still encouraged to stay at home.
7. Do not allow anyone to attend any event or activity in person if they are experiencing symptoms of illness.
8. Implement one-way entry/exit and directional walkways as much as possible.
9. Place markings on floors to maintain at least six (6) feet distance where lines might form.
10. Eliminate food or drink offerings, including communion and any other food services.
11. Perform frequent environmental cleaning and disinfection of bathrooms and high touch surfaces (e.g. door handles, railings, etc.)
12. Monitor and log employees and volunteers for one of the following symptoms:
 - a. Cough/shortness of breath/difficulty breathingOr at least two of the following symptoms:
 - b. Fever, chills/shaking with chills, muscle pain, headache, sore throat, loss of taste or smell
13. Symptomatic employees and volunteers must be excluded from the premises.
14. Ensure the safe and correct application of disinfectants and keep them away from children.
15. Ensure that ventilation systems operate properly and increase the circulation of outdoor air as much as possible by opening windows and doors, using fans, etc. Do not open windows and doors if they pose a safety risk to children using the facility. No seating within eight (8) feet of air intake inlet.

RECREATION AND FITNESS ATTACHMENT TO MAY 29, 2020 GRAND COUNTY PUBLIC HEALTH ORDER

Protective Measures

Recreation and fitness establishments that choose to open are required to demonstrate compliance with the requirements contained in Colorado Department of Public Health and Environment (CDPHE) Public Health Order 20-28 Section II.I, this May 29, 2020 local public health order, and the Grand County Public Health Suppression Plan. It is understood that some events, activities, and properties might not have employees or volunteers, but if they do, the employee and volunteer provisions of the state and local orders, the GCPH Suppression Plan, and this May 29, 2020 GCPH Public Health Order are to be complied with.

Operational Guidelines

General operating protocols will be adhered to across all recreation business and facilities across Grand County.

- **Employee Protection Protocols**
 - Require employees showing signs or symptoms of being sick, or who have come in contact with known positive cases to stay home.
 - [Signage](#) shall be posted for employees and patrons on good hygiene and social distancing
 - Implement symptom screening protocols including staff temperature monitoring. A sample document can be found [here](#).
 - Encourage and enable remote work whenever possible.
 - Provide special accommodations when able for vulnerable populations.
 - Continue virtual / phone meetings and minimize all in-person meetings.
 - Maintain 6-foot distancing when possible and discourage shared spaces
 - Ensure proper ventilation
 - Provide hand washing facilities/stations and hand sanitizer.
 - Encourage staff to wash/sanitize hands upon entering the building and frequently, 20 seconds with soap and water
 - Provide face masks or face coverings for use in all public areas as required by State Order
 - Safe mask handling:
 - Wash hands before and after putting on
 - Do not touch front of mask or face
 - Launder daily or provide disposable masks
 - Fit snugly and securely over nose and mouth and on sides of face
 - Avoid touching eyes, nose and mouth
 - Avoid close contact with people that are sick or who have been known to come in contact with positive cases
 - Plexiglass barriers shall be implemented wherever possible to reduce the chance of breath aerosol spreading the virus

- **Patron/Participant Protection Protocols**

- Inform patrons showing signs or symptoms of being sick, or who have come in contact with known positive cases not to use facilities, equipment or programs
- Facilitate 6-foot distancing guidelines for all patrons
- Encourage or require the use of facemasks / coverings in all public areas.
- Post [signage](#) on good hygiene (frequently wash hands, cover a cough or sneeze, don't touch face) face covering usage and social distancing expectations for facility/business
- Provide hand sanitizer at entrances
- Any and all equipment used should be cleaned/sanitized between patrons based on industry specific guidance
- Group size does not exceed current state order and households should remain separate during group activities
- Postpone or cancel events, such as tournaments, recreation league play or concerts that encourage people to congregate. These may resume upon state order.
- Increase ventilation as much as possible in all facilities. Do not allow any person to stand under ventilation intake.
- Drinking fountains shall not be used, however, bottle fillers are permitted Patrons are encouraged to bring their own water bottles.
- Recommend participants shall sign a COVID-19 liability waiver
- Cleaning Protocols
 - Frequent sanitation of high touch surfaces
 - Clean work spaces, vehicles and equipment daily
 - Regularly sanitize items in shared spaces (e.g. break rooms)
 - Sanitize meeting rooms after each use
 - Increase frequency of facility cleaning and sanitation
 - Regularly sanitize equipment, high-touch points, counter tops, railings, door knobs, etc.
 - Use cleaning and sanitizing products that meet [EPA standards](#) and [CDC requirements](#)
 - For guidance use covid19.colorado.gov/cleaning-guidance

Recreation

Local recreation business and facilities shall open and operate with adherence to the requirements outlined in the Grand County Recreational Playbook - Phase 2 Safer at Home protocols, with the exception of theatres which shall remain closed. Only Phase 2 protocols are allowed for the purpose of this public health order. The scope of the [Grand County Recreation Playbook](#) includes golf courses, indoor recreational facilities, outdoor recreation facilities, licensed child care/summer day camps, youth and adult sports and recreational activities, bowling, theatres, recreational equipment and guide businesses, pools, spas, hot springs.