

APRIL 4, 2020

SAN JUAN COUNTY COLORADO PUBLIC HEALTH ORDER #2020-03

THIS ORDER SHALL RESCIND AND REPLACE ALL PREVIOUS ORDERS

**LIMITING ACTIVITIES OF PEOPLE AS NECESSARY TO PROTECT PUBLIC HEALTH
STAY AT HOME ORDER**

Pursuant to Section 25-1-506(2)(a)(I), Colorado Revised Statutes, this Order is effective within the entirety of San Juan County, including the Town of Silverton, until April 30th, 2020. This Order sets forth guidance and requirements aimed at slowing the spread of the COVID-19 disease.

On March 8, 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.

On March 11, 2020, the World Health Organization (WHO) classified the COVID-19 disease as a global pandemic.

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

The age, condition, and health of a significant portion of the population in San Juan County places it at risk of serious health complications, including death, from COVID-19. Although most individuals who contract COVID-19 have 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 prohibition of large gatherings and required use of social distancing practices decrease 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 may reduce the likelihood that many individuals will be exposed to COVID-19 and may 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.

Jill Hunsaker Ryan, State Health Director of Colorado has issued the State Public PUBLIC HEALTH ORDER 20-22 in effect until April 30. Both the State's public health order (State Order) and the County's public health orders are lawful orders and both apply in San Juan County. However, to the extent one order is more restrictive, the more restrictive order applies in San Juan County.

It is the opinion of the Public Health Director that conditions in regards to COVID-19 at the national, state and local level are such that there is a need for continued Public Health Orders to protect the public health; San Juan County is now surrounded by all Counties with positive COVID-19 cases, and the COVID-19 case "peak" in Colorado is expected in mid to late April and there is scientific evidence that continued travel and lack of physical distancing accounts for the increase spread of the disease which has a direct impact on our strained healthcare systems and human deaths.

Findings

1. Coronavirus Disease (COVID-19) was first detected in Wuhan, China in late 2019, and since then has spread to over 60 countries including the United States. As of April 3, 2020, there are 3728 known positive cases of COVID-19 in Colorado in 51 out of 64 counties. Only 18,645 people in the state have been tested, there have been 97 deaths and there is every expectation that more cases will be diagnosed.
2. San Juan County has no known cases of COVID-19 as of April 3rd. There is not testing available in San Juan County currently.
3. COVID-19 is a respiratory illness transmitted like other respiratory illnesses 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.
4. Medical resources are scarce in San Juan County, with a 24/7 Paramedic EMS, a limited public health office and a clinic only open one-day a week. Transport time for EMS can take up to 2 hours to the closest medical facility.

A. ORDER

For purposes of this Order:

1. All individuals currently living within San Juan County ("County") shall limit their movement and gathering with other individuals who are not in their household or immediate family to no more than 5 as long as Social Distancing Requirements can be maintained. Individuals may leave their residence only to perform any of the following determined to be "**Essential Activities**":
 - a. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including but not limited to pets). Examples include obtaining medical supplies or medication, visiting a healthcare professional (including mental health), or obtaining supplies necessary to work from home.
 - b. To obtain necessary services or supplies for themselves and their household members, or to deliver those services or supplies to others. Examples include canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation and essential operation of residences.
 - c. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined herein such as, by way of example and without limitation, walking, skiing, and other motorized and non-motorized travel.
 - d. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations. Residents are advised to take added precautions as emergency

services may not be available.

- e. To care for a family member or pet in another household.
 - f. Residents are notified that emergency services at a local, state and federal level may be severely limited due to the current emergency. EMS, law enforcement, fire and rescue may not be available.
2. Visitors to San Juan County are directed to return home immediately upon the issuance of this Order by the fastest and safest available means, and persons considering visiting San Juan County should remain home. Visitors are directed to drive past the communities of Cascade Village and Silverton and not stop. Visitors are directed to not recreate in the area.
 3. Non-residential homeowners and seasonal residents are discouraged from coming to their home in San Juan County. If such persons enter the County, they shall follow the mandatory 14-day quarantine (see below for definition).
 4. All businesses with a facility in the County, except Essential Businesses as defined herein, are required to cease all activities at facilities located within the County except for Minimum Basic Operations as further defined herein. **For clarity, businesses not listed as an Essential Business may also continue operations consisting exclusively of employees or contractors performing activities remotely or can provide pick-up or delivery service as long as such businesses are otherwise in compliance with this Order.**
 5. "Essential Businesses" are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined herein, including by maintaining six foot distancing for both employees and members of the public, including but not limited to, when any customers are standing in line.

Unless otherwise addressed, the following are considered "**Essential Businesses**";

- 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, liquor stores, farmers markets, 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. Marijuana retail stores for pick-up only.
- d. Newspapers, television, radio and other media services.
- e. Gas stations and auto supply, auto repair, and related facilities.
- f. Bank and related financial institutions.
- g. Hardware store.
- h. Bicycle and ski repair shop.
- i. 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.
- j. Businesses providing mailing and shipping services including post office boxes.
- k. Educational institutions-including public and private K-12 schools, colleges and

universities for the purposes of facilitating distance learning or performing essential functions, including school maintenance and function as needed, provided that social distancing of six feet per person is maintained to the greatest extent possible.

- i. Laundromats, dry cleaners and laundry service providers.
 - m. 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, take away and delivery 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.
 - n. Businesses that ship or deliver groceries, food, goods or services directly to residences or other businesses.
 - o. Private commercial transportation that provides transportation services necessary for Essential Activities and other purposes expressly authorized in this Order.
 - p. Home based care for seniors, adults or children and pets.
 - q. Professional services, such as legal or accounting services, remote information technology, when necessary to assist in compliance with legally mandated activities.
6. For purposes of this Order, individuals may leave their residence to work for or obtain services at any **“Healthcare Operations”** including hospitals, clinics, dentists (emergency only), pharmacies, pharmaceutical and other healthcare facilities. Healthcare operations include veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare. “Healthcare Operations” does not include fitness and exercise gyms, dance classes, yoga or similar group activities.
7. For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of **“Essential Infrastructure,”** including but not limited to, public works construction, construction of housing, water, sewer, gas, electrical, mine remediation, roads and highways, solid waste collection and removal, emergency radio communications, telecommunications systems (including the provision of essential global, national and local infrastructure for residential, commerce and governmental services), provided that they carry out those services in compliance with the Social Distancing Requirements.
8. For purposes of this Order, all first responders (EMS, Mountain Rescue, Fire), emergency management personnel, emergency dispatchers, court personnel and law enforcement personnel, public health personnel and others working for or to support Essential Businesses are categorically exempt from this Order. This includes first responder mutual aid requests. Further, nothing in this Order shall prohibit any individual from performing or accessing **“Essential Governmental Functions.”** Essential Government Functions means all services needed to ensure the continuing operation of the government agencies and provide for health, safety and welfare of the public. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements defined in this Order.
9. For purposes of this Order, covered businesses include any for profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.

10. For purposes of this Order, An **"Event"** is a gathering that takes place indoors or outdoors for business, social, or recreational activities including, but not limited to, community, civic, public, leisure, social, or sporting events; governmental public meetings or hearings; parades; concerts; festivals; assemblies; church services; weddings; conventions; fundraisers; and similar activities. Gatherings of more than 5 are prohibited. All Events at the following locations are prohibited, regardless of the number of attendees: Day care centers, child care centers, home child care centers, private schools (including pre schools) and private day schools.
11. All short term lodging (30 days or less), including but not limited to hotels, motels, vacation rentals, short term rentals, bed and breakfast establishments, lodges and retreats shall cease operations, unless otherwise authorized in writing by the Public Health Director for emergency or quarantine purposes, or to provide lodging for essential federal, state, county or local personnel. There shall be no new bookings or reservations during the duration of this Order. Current reservations for the timeframe anticipated in this Order shall be canceled. Specifically excluded from this Order are circumstances in which it is not safe or impossible for a guest or traveler to depart from the County, for example hazardous weather that forces a person to protect in place overnight.
12. Current construction crews working on projects in San Juan County are exempt if workers are permanent residents in San Juan County and follow Social Distancing Requirements to reduce risk of exposure. Residential and commercial construction including completion, renovation, demolition and remediation of sites may otherwise continue to operate so long as in compliance with this Order in reference to the Social Distancing Requirements and limiting persons on site to no more than 5 people at a time. New construction is not allowed during the duration of this order unless the project is necessary for public health and safety AND the contractors are permanent residents not traveling back and forth from another county. Construction workers who are not permanent residents are banned from working on projects for the entirety of this order. Restrictions contained in this paragraph shall take effect at 11:59 PM, April, 6th, 2020.
13. For purposes of this Order, individuals shall limit their travel to **"Essential Travel"**. This includes travel for any of the following purposes.
 - a. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations.
 - b. Travel to care for elderly, minors, dependents, persons with disabilities or other vulnerable persons.
 - c. Travel to return to a place of residence from outside the jurisdiction.
 - d. Travel required by law enforcement or court order.
 - e. Travel required for non-residents to return to a place of residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional prior to the commencing such travel.
 - f. Residents who travel outside of the community for essential business are encouraged to wear a face covering, practice diligent handwashing and limit their exposure as much as possible to reduce risk of transmission and spread to each community.
 - g. If anyone leaves the County and travels to a population center containing COVID-19, we ask that they take appropriate measures upon their return up to and including a 14-day quarantine (see definition below).
14. **"Social Distancing Requirements"** includes maintaining at least a six foot distance from other individuals, limiting such interactions to less than ten minutes, washing hands with soap and

water for at least twenty seconds as frequently as possible or using hand sanitizer containing a minimum of 60% alcohol content, covering coughs and sneezes (into sleeve or elbow, not hands), regularly disinfecting high touch surfaces.

15. **“Minimum Basic Operations”** include the following, provided that employees comply with Social Distancing Requirements as defined herein, to the extent possible, while carrying out such operations:
 - a. The minimum necessary activities to maintain the value of the business 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.

16. **“Quarantine”** is used to separate people believed to have been exposed, in this case, to COVID-19 in the event they are infected. Quarantine is used so people who had this exposure do not spread the virus. People subject to quarantine are to remain home for 14-days from the time of exposure. This means no trips to the post office, grocery store, etc. It is imperative that the person severely restrict their movement and stay at least 6 feet away from anyone else.

It also means that when going outside the home when absolutely necessary, such as letting a dog out, or going for a walk, hike, ski or bike, it is necessary to avoid anyone who isn't in your immediate family and household.

B. FURTHER GUIDANCE

1. Further guidelines for Social Distancing Requirements are available on the State of Colorado COVID19 website. [covid19.colorado.gov/prevention-community-spread](https://www.colorado.gov/prevention-community-spread)

C. GENERAL INFORMATION FOR ALL PERSONS AFFECTED BY THIS ORDER

Questions may be directed to the San Juan County Public Health Office 970-387-0242
email: info@sjcph.org

Any person aggrieved and affected by this Order has the right to request judicial review by filing an action with the San Juan County District Court within 90 days of the date of this Order, pursuant to C.R.S. 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 FOR UP TO EIGHTEEN MONTHS.

UNLESS OTHERWISE STATED HEREIN, THIS ORDER IS IN EFFECT AT 12:00 AM MIDNIGHT APRIL 4, UNTIL April 30th, 2020 AND IS SUBJECT TO CONTINUING REVIEW BY THE PUBLIC HEALTH DIRECTOR.

Becky Joyce
Director of Public Health,
San Juan County

Date