

**SAN JUAN COUNTY PUBLIC HEALTH  
PUBLIC HEALTH ORDER NO. 2021-02  
SAN JUAN COUNTY, COLORADO  
Issued: August 12, 2021**

Pursuant to Colorado Revised Statute §§ 25-1-506, 508, and 516, the Public Health Director for San Juan County hereby issues this Public Health Order requiring the following community mitigation measure of wearing a face covering in indoor settings in order to control and mitigate slow the spread of the novel coronavirus (“COVID-19”). This Order shall rescind and replace all prior San Juan County Public Health Orders regarding the COVID-19 Pandemic.

The requirements of this Order shall be in addition to any and all local, State and/or Federal orders. In the event that any such other orders or laws are more or less restrictive than what is set forth herein, the more restrictive orders control. Individuals should be aware that Executive Orders from Governor Polis and State Public Health Orders from the Director of the Colorado Department of Public Health and Environment (CDPHE) are being issued on a regular basis, and all members of the public are responsible for following the Governor’s orders, CDPHE orders, and local orders.

**I. FINDINGS**

The State of Colorado, San Juan County Colorado and San Juan County Public Health are working to stop the spread of COVID-19.

San Juan County Public Health (“SJCPH”) has issued a series of orders to slow the spread of COVID-19 since March 2020.

On June 9, 2021 The Board of County Commissioners had rescinded the Declaration of Pandemic for COVID-19.

The new more contagious Delta Variant of COVID-19 is circulating in Colorado and impacting the population of San Juan County. This factor, coupled with a loosening of public health restrictions, has resulted in an increase in cases, hospitalizations and potentially deaths.

On August 11, 2021, SJCPH has identified 29 positive cases within San Juan County in the past 8 days, placing the County in Level Red on the COVID-19 Dial. The Colorado COVID-19 Dial classifies San Juan County as “Level Red: Severe Risk.” As of August 11, 2021, the seven-day case incidence rate of COVID-19 in San Juan County was 2066.1 cases per 100,000 residents. The COVID-19 virus is spreading primarily among the unvaccinated population. Additional community mitigation measures must be re-implemented to keep our community safe. While we work as a community to achieve disease containment, it is important that all community members and visitors return to wearing a face covering in indoor spaces to help reduce the risk

of transmission. On August 11, 2021 the San Juan County Board of County Commissioners approved a Declaration of Disaster due to the COVID-19 pandemic.

Wearing a face covering, in combination with physical distancing of at least 6 feet and frequent hand-washing, may reduce the risk of transmitting the COVID-19 virus by reducing the spread of respiratory droplets and disease transmission.

The Public Health Director further finds that the presence of visitors to San Juan County from many communities throughout the state and the country, if unregulated and unvaccinated, may introduce increased illness into the community, imposing burdens on the local economy, local workers, our health care system, public services, first responders, food supplies and other essential services during the ongoing COVID-19 pandemic.

This Order is based on evidence of the continuing spread of COVID-19 within San Juan County, Colorado. San Juan County Public Health is using the best available scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the age, condition, and health of a significant portion of the population of San Juan County, Colorado places the community at risk for serious health complications, including death, from COVID-19.

## **II. ORDER**

The Director of Public Health for San Juan County, Colorado hereby enters the following order:

1. Each person in San Juan County, Colorado must wear a Face Covering whenever entering or within any Public Indoor Space that is not a Residence.
2. For purposes of this Order, the following words and phrases have the following meanings:

“Public Indoor Space,” as used in the Order, means any enclosed indoor area that is publicly or privately owned, managed, or operated to which individuals have access by right or by invitation, expressed or implied, or that is accessible to the public, serves as a place of employment, or is an entity providing services. Public Indoor Spaces include all enclosed indoor areas except for a person’s Residence.

“Residence,” as used in this Order, means the real property upon which an individual resides with other members of their household, including a room in a motel or hotel or a residential room for students at an education facility. Residence does not include any common areas that may be used by multiple households. Residence also includes a motor vehicle when being used for personal use by an individual or their same household.

“Face Covering” means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers only the nose and mouth and surrounding areas of the lower face. A

Face Covering may be factory-made or may be handmade and improvised by using ordinary household materials. The Face Covering should fit snugly but comfortably against the side of the face; allow for breathing without restriction; and either be constructed of disposable mask materials or include multiple layers of fabric that can be laundered and machine-dried without damage or change to shape. Face Coverings must cover the nose and mouth at all times and should remain in place until taken off safely. If an individual's Face Covering moves during work, it must be replaced with one that does not need to be frequently adjusted in order to reduce touching of the face. A Face Covering should be replaced when it becomes dirty, wet, and/or difficult to breathe through.

3. A Face Covering is not required as follows:

A. Persons whose health would be impaired by wearing a Face Covering. If a person is an employee whose health would be impaired by wearing a Face Covering while at work, they must document such concerns with their employer.

B. In any Public Indoor Space when any person is alone in such space (a single, fully enclosed room), when others outside of that person's household are not present, or the public does not regularly visit the room. This exception does not apply and a person must put on a Face Covering anytime coworkers or other members of the public are located six feet or less from the person, when being visited by a client/customer, or anywhere members of the public or other coworkers are regularly present.

C. Persons undergoing procedures that require access to the person's mouth or nose; provided, however, that Face Coverings must otherwise be worn when the person is not undergoing the procedure.

D. Persons in restaurants that are permitted to serve food for consumption on the premises, while such person is in the act of eating or drinking; provided, however, that Face Coverings must be worn while entering and exiting the restaurant, and while ordering, paying, or otherwise interacting with employees or other customers of the restaurant, and once the food and drink have been consumed.

E. Persons in a Public Indoor Space who are requested to remove or lower their face covering for purposes of verifying their identity to carry out a sale or transaction; provided, however, that Face Coverings must otherwise be worn while in the establishment.

F. Persons who are officiating or participating in a life rite or religious service where the temporary removal of a Face Covering is necessary to complete or participate in the life rite or religious service.

G. Persons who are giving a speech for broadcast or an audience; provided, however, that a Face Covering must otherwise be worn when not giving the speech.

4. This Order includes any child aged two (2) years or older to wear a Face Covering. Parents and caregivers must supervise the use of Face Coverings by children to avoid misuse. In addition, this Order advises that children under age two years should not wear a Face Covering due to the risk of suffocation.
5. To the extent any federal, state, or local regulations, orders, or laws are enacted that are more restrictive than the requirement of this Order, the more restrictive shall control.
6. This Order may be enforced and penalties may be imposed pursuant to C.R.S. §§ 25-1-114, 25-1-114.5 and 25-1-516, or as otherwise allowed by law.
7. This Order shall become effective at 12:00 PM on August 13th, 2021, and shall continue to September 10th, 2021 at 12:00 PM or until it is extended, rescinded, superseded, or amended in writing by the San Juan County Public Health Director.
8. In the event any provisions of this order are determined to be unenforceable by a court of law, the remaining provisions shall remain in full effect.

Questions regarding this Order may be directed to San Juan County Public Health at [info@sjcph.org](mailto:info@sjcph.org), 970-387-0242.

**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.**

*Becky Joyce*

*8/12/2021*

---

Becky Joyce, RN  
Director, San Juan County Public Health,  
San Juan County, Colorado

---

Date