

**Public Health Agency Order 20-04**  
**Custer County Public Health Order Related to COVID19**  
**Implementing Stay at Home Order and Essential Business**  
**Regulations**

**Effective 4/3/2020 0800**  
**Amended 4/7/2020**

**FINDINGS:**

Pursuant to Colo. Rev. Stat. § 25-1-506 and other applicable authority, this Order sets forth guidance and requirements for, as well as limitations on, group gatherings to slow the spread of the COVID-19 virus.

On January 30, 2020, the World Health Organization ("WHO") declared the worldwide outbreak of COVID-19 a "public health emergency of international concern." On January 31, 2020, the United States Department of Health and Human Services declared the virus a public health emergency.

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.

On March 11, 2020, WHO declared COVID-19 a pandemic, pointing to the sustained risk of further global spread.

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

On March 16, 2020 the President of the United States issued new guidelines to help protect Americans during the COVID-19 pandemic, which includes: avoiding discretionary travel, gatherings limited to 10 or fewer people, use of drive through and pick up delivery options, and telecommuting for work and school.

On March 18<sup>th</sup>, 2020, Governor Jared Polis issued order 20-22. Closing Bars, Restaurants, Theaters, Gymnasiums, Casinos, Nonessential Personal Services Facilities, and Race Track and Off-Track Pari-Mutuel Wagering Facilities Statewide.

On March 23, 2020, Governor Jared Polis, issued order D 2020 13. (Ordering Colorado employers to reduce in-person workforce by 50 percent due to the presence of COVID 19 in the state.)

On March 25<sup>th</sup>, 2020, Governor Jared Polis issued order D 2020 17. (Ordering Coloradans to Stay at Home Due to the Presence of COVID-19 in the State.)

### **PURPOSE:**

Custer County Public Health Agency (CCPHA) anticipates that, due to the extremely contagious nature of the COVID-19 virus and the fact that numerous travelers from around the world visit our area, Custer County will see cases of the virus and its transmission within the community. Developing social distancing policies prior to an extensive outbreak has been a proven means of helping to contain COVID-19 outbreaks.

CCPHA recommends that without appropriately responding to the illness, including cancelling and postponing public events, restricting social gatherings to 10 people or fewer we will see several cases within Custer County. Those cases may result in serious illness or death for certain members of the community, will have the effect of interrupting the functioning of the community, and will overwhelm the capacity of the local health care systems and the ability to respond to the COVID-19 pandemic. Additionally, a large surge in the number of persons with COVID-19 can compromise the ability of the healthcare system to deliver necessary healthcare to the public.

The limitations on business activities, 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.

Custer County 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.

### **INTENT:**

The intent of this Public Health Order (PHO) is to minimize contact between residents, and to the greatest extent possible, minimize the exposure of the public to contaminated public surfaces. By staying home we can maximize the number of people isolating in place, reduce the number of people congregating in workplaces at one time, and reduce the proximity of people in the workplace. This PHO will also enable the services, businesses, and travel necessary to protect the health and safety of our community and preserve the continuity of social and commercial life as we save lives.

When people leave their places of residency, whether to obtain or perform critical emergency services, recreate, go to work, or for other valid reasons, they should at all times comply with Social Distancing Requirement. All provisions of this PHO should be interpreted to effectuate this intent. Failure to comply with any of the provisions of this PHO constitutes an imminent threat to public health.

**Custer County Public Health Agency is enforcing the Governors Stay at Home Order 20-24 in Custer County. Public Health Order 20-24 Implementing Stay at Home Order:** Effective March 25, 2020, per Governor Jared Polis. This order has taken effect as of Thursday, March 26, 2020, and is expected to end April 26, 2020.

**In addition, the Custer County Public Health Agency is enforcing the following Public Health Order (PHO) which is in effect until midnight Mountain time April 30, 2020, and is subject to continuing review, amendment, and extension by the Public Health Director.**

**ORDER:**

**1. Stay At Home**

- a. All residents of Custer County are ordered to Stay At Home whenever possible. Individuals living in shared or outdoor spaces must at all times, to the greatest extent possible, comply with Social Distancing Requirements, and may leave their residences only to perform or utilize Necessary Activities.
- b. All public and private gatherings of ANY number of people occurring outside a residence are prohibited, except for the limited purposes expressly permitted in this Public Health Order (PHO) which include Essential Activities. Nothing in this PHO prohibits the gathering of members living in the same Residence.
- c. **Residents of Custer County that have traveled out of State for more than 24 hours** must be under a 14-day self-quarantine. This includes part time residents returning to Custer County.
- d. **All Custer County Visitors are directed to return home.** CCPHA strongly discourages all variations of vacationing in Custer County until April 30th.
- e. People at higher risk of severe illness from COVID-19 are urged to stay in their Residence at all times except as necessary to seek medical care. People who are sick must stay in their residence at all times except as necessary to seek medical care, and must not go to work, even for a Critical Business.
- f. Individuals experiencing symptoms of COVID-19 must self-isolate until their symptoms cease or until they have a negative test result. Due to limited testing availability and narrow criteria for testing, if an individual has tested positive for COVID-19 and/or has developed symptoms of COVID-19, including early or mild symptoms (such as cough, fever and/or shortness of breath), they should be in isolation (staying away from others) until they have had no fever for at least seventy-two (72) hours (that is three full days of no fever without the use of medicine that reduces fevers), other symptoms have improved (such as cough or shortness of breath) and at least seven (7) days have passed since symptoms first appeared.
- g. All Unnecessary Travel is prohibited, including, but not limited to, travel by automobile or public transit. People must use public transit **ONLY** for the purpose of performing Necessary Activities or maintain Critical Governmental Functions.

People riding on public transit must comply with Social Distancing Requirements to the greatest extent feasible.

## **2. Business Requirements**

- a. Critical Businesses, as defined by the Governors Order 20-24, are encouraged to remain open, although subject to certain limitations. Critical Businesses must always comply with Social Distancing Requirements at all times, adopt work from home or tele-work polices for any operations that can be done remotely, and implement other strategies. Such strategies may be to stagger schedules or re-design workplaces to create more distance between workers, unless doing so would make it impossible to carry out critical functions. Critical Businesses that serve the public such as grocery stores and other critical Retail shall comply with Social Distancing Requirements at all times, including when any customers are standing in line inside or outside.
- b. Child care facilities providing services exempt in this PHO must, to the greatest extent possible, operate under the following conditions: (1) child care must be carried out in stable groups of 10 or fewer (“stable” means that the same 10 or fewer children are in the same group each day); (2) children shall not change from one group to another; (3) If more than one group of children is cared for at one facility, each group shall be in a separate group. Groups shall not mix with each other; (4) childcare workers shall remain solely with one group of children. To the greatest extent possible, childcare shall be performed in compliance with Social Distancing Requirements.
- c. Restaurants, liquor stores, and coffee shops must establish curbside pickup or no more than one customer is to be allowed inside the establishment at one time. This allows for proper compliance with Social Distancing Requirements.
- d. CCPHA strongly recommends that Custer County retail establishments (such as grocery stores, dollar stores, hardware stores, food pantries, etc.) limit the number of customers within the store in order to abide by Social Distancing Requirements. Retail establishments must follow CDPHE' s Guidance (see the Retail Food Establishment COVID-19 Implementation of Public Health Order and Amended Notice of Public Health Order 20-22 Closing Bars, Restaurants, Theaters, Gymnasiums, Casinos, Non Essential Personal Services Facilities, Racetrack and Off Track Para - Mutual Wagering Facilities Statewide) to minimize the spread of COVID-19 in the community.
- e. Grocery, retail, convenience, hardware, farm and ranch supply shall follow the CDPHE Guidelines in having hand sanitizer, germicidal wipes, or hand washing stations available where patrons enter and exit. All check out stations will be wiped down after each customer with the proper disinfects recommendation by EPA.

- f. **All short-term lodging must cease operations.** Short term lodging includes but is not limited to hotels, motels, short-term rentals (30 days or less), bed and breakfast establishments, Airbnb, and lodging. All short-term lodging establishments shall follow CDPHE guidelines for minimizing the spread of COVID-19. **Authorized use for the purposes of emergency, quarantine, or to provide lodging for essential personnel must be given verbally or in writing by the CCPHA Director. At no time are these to be used for leisure purposes.**
3. **Houses of Worship and faith-based organizations** shall abide by Social Distancing Requirements which includes staying home and avoiding gatherings of any number of people until April 30, 2020. Pastoral services for individuals (one at a time or practicing appropriate Social Distancing Requirements) who are in crisis or in need of end-of-life services will be allowed. **Services can be conducted remotely through Facebook, GoTo meeting, Zoom or any technology platform.**

**ENFORCEMENT:**

This order will be enforced by all appropriate legal means. Local authorities are encouraged to determine the best course of action to encourage maximum compliance. Failure to comply with this order could result in penalties including a fine of up to one thousand (1,000) dollars and imprisonment in the county jail for up to one year, pursuant to 25-1-114, C.R.S.

Custer County will not be actively searching for violations. However, if the county receives reports of events contrary to this order, the county will reach out to the organizer/leader/owner/management to educate, provide guidance, and enforce the provisions of this order, if necessary.

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Date

STATE OF COLORADO, CUSTER  
 COUNTY ATTEST:

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Custer County Clerk