



## SUMMIT COUNTY PUBLIC HEALTH

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Frisco, CO 80443

**MAY 4, 2021**

**AMENDED AND RESTATED STANDING PUBLIC HEALTH ORDER  
REGARDING THE COVID-19 PANDEMIC  
FOR SUMMIT COUNTY, COLORADO**

**1. Purpose, Effective Area.** This Amended and Restated Public Health Order is being issued to limit the health impacts of COVID-19. This Order sets forth requirements and guidelines for group gatherings, business operations, personal responsibility, and additional guidance to slow the spread of COVID-19. This Order is effective within the entirety of Summit County, including all towns within the County.

**2. Effective Date and Time, Limitations.** The Public Health Order will become effective at 12:01 a.m. on May 5, 2021, unless otherwise specifically provided for herein, and will remain in effect until 11:59 p.m. June 4, 2021 unless extended, rescinded, superseded, or amended in writing.

**3. Findings and Intent.** As of May 3, 2021, there were 514,721 known cases of COVID-19 in Colorado; 28,098 Coloradans have been hospitalized and 6,474 Coloradans have died due to COVID-19.

There is clear evidence that some individuals who contract COVID-19 have no symptoms or have very mild symptoms, which means they are likely unaware they carry the virus. Asymptomatic individuals can transmit the disease, and evidence shows the disease is easily spread, so gatherings of people facilitate transmission of COVID-19.

The Public Health Director finds that we must use tools, such as physical distancing and face coverings, to mitigate the spread of COVID-19 to protect health and save lives.

The intent of this Order is to minimize contact among individuals and reduce the public's exposure to the novel coronavirus in an effort to prevent further restrictions and closures being imposed upon the county by the State. The State maintains the authority to move counties quickly to other dial levels as defined in the State public health order and to move a county more than one level at a time. The State continues to recommend that counties like Summit remain diligent in taking steps to lessen the spread of COVID-19.

**4. Legal Authority.** This Order is adopted pursuant to the legal authority set forth in sections 25-1-506 and 25-1-508, 25-1-509, Colorado Revised Statutes as well as all other

applicable laws, rules, regulations, orders and declarations. Under this authority, the Summit County Public Health Director has the duty to investigate and control the causes of the epidemic or communicable diseases and conditions affecting public health; to establish, maintain, and enforce isolation and quarantine; to exercise physical control over the property and over the persons of the people within the territorial limits of Summit County; and to prohibit the gatherings of people to protect the public health; all as the Public Health Director may find necessary for the protection of the public health. Issuance of this Order is deemed reasonable under the existing circumstances and necessary for the immediate preservation of the public health, safety and welfare.

**5. Most Restrictive Standard Controls.** To the extent any State and/or Federal orders or laws are more restrictive than what is set forth herein, such orders control. Individuals should be aware that new orders from Governor Polis and 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. The more restrictive Summit County provisions expressly provided below shall control; except as may otherwise be determined by judicial order.

**6. Incorporation of State Orders.** All Executive Orders issued by the Governor and all CDPHE Public Health Orders are hereby adopted and deemed incorporated herein. This Amended and Restated Public Health Order is intended to clarify and harmonize this Summit County Public Health Order with all of the State’s orders.

For purposes of this order, the term “Physical Distancing Requirements” shall have the same meaning as the State defined term “Social Distancing Requirements”.

**7. Compliance with State Orders.** In order to safely open and operate, businesses and other entities allowed to operate must comply with all Executive Orders issued by the Governor, all CDPHE Public Health Orders and are encouraged to comply with all State Guidance applicable to such operations.

**8. Level Green.** Pursuant to this Order, Summit County will move to Level Green: Little to No Threat effective 12:01 a.m. on May 5, 2021.

**9. Six Commitments of Containment.** Preventing a resurgence of COVID-19 in Summit County requires all individuals and businesses to comply with the mandatory provisions of this Order. In addition, all persons in Summit County are strongly encouraged to assume additional personal responsibility and adopt the Six Commitments of Containment to keep transmission of illness low. These are:

- a. I will maintain 6 feet of physical distance from other individuals.
  - i. Physical distance is one of the most effective COVID-19 prevention measures.

- ii. I will keep this distance from any person who is not from my household.
- b. I will wash my hands frequently and thoroughly for at least 20 seconds. Hand washing is especially important after visiting public settings and businesses and before eating or touching my face.
- c. I will cover my face in [Public Indoor Spaces](#) and at outdoor events when persons not from the same household are less than 6 feet from others for more than 15 minutes. Face coverings are not a substitute for maintaining physical distance.
- d. I will stay home when I am sick. Isolating myself from others, including household members, will help protect others and limit the spread.
- e. I will get tested immediately if I have COVID-19 symptoms. Testing early after COVID-19 symptoms develop can provide valuable information to help prevent spreading COVID-19 to other people and to inform public health officials about the extent of disease spread in the community.
- f. I will get a COVID-19 vaccine.
  - i. A COVID-19 vaccine will protect the individual from being infected with the COVID-19 virus.
  - ii. Getting the COVID-19 vaccine helps conserve potentially scarce health care resources during this pandemic.
  - iii. Having a vaccinated community will enable our businesses to reopen and our favorite activities to resume.

**10. Physical Distancing Protocol (formerly known as Social Distancing Protocol).**

a. Businesses are no longer required to complete and follow the Physical Distancing Protocol (PDP) except as required in section 10.b. below or as otherwise required within applicable Orders (Ex. Mask wearing). Businesses are still encouraged to use the PDP as a guide for best practice for minimizing disease transmission.

b. All employees must be told not to come to work if experiencing symptoms that indicate possible COVID-19 infection including: fever (>100.4°F) or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea, vomiting or diarrhea. If an employee has any of these symptoms AND no alternative more likely diagnosis, they will be directed to get tested for COVID-19 infection, call their medical provider and isolate as may be required. <https://www.summitcountyco.gov/1312/Guidance-for-Sick-Individuals>

c. All of the businesses or other enterprises referenced in subsection (a) above shall also comply with all applicable Governor’s order, CDPHE orders, and DORA and State rules, regulations and mandatory guidance documents.

**11. Definitions.** All definitions listed in the CDPHE Tenth Amendment Public Health Order 20-36 COVID-19 DIAL (“CDPHE PHO 20-36”) dated April 4, 2021 and CDPHE Public Health

Order 20-38 Limited COVID-19 Restrictions (“CDPHE PHO 20-38”) dated April 15, 2021 are hereby incorporated and shall have the same meaning in this Order.

**12. COVID-19 5 Star State Certification Program.** The 5 Star Certification Program is no longer an option in level Green. Businesses are encouraged to continue following the 5 Star Program’s control measures that minimize disease transmission within their businesses.

**13. Application of Summit County COVID-19 Dial Levels.** The Summit County COVID-19 Dial consists of six levels based on meeting specific metrics. Summit County will remain in a Dial level so long as it continues to meet metrics in that level. Summit County will only move to a more restrictive level if hospital capacity is threatened. To move to a less restrictive level, Summit County must meet or exceed the less restrictive level metrics for 7 consecutive days.

**14. Level Green: Little to no Threat**

a. To qualify for Level Green, Summit County must have a 7 Day Incidence Level of 0 – 100 cases per 100,000 or 70% of the population must be fully vaccinated.

b. Once in Level Green, businesses, activities, and gatherings may fully operate with no capacity restrictions except for those restrictions listed in this section. Individuals at risk of Severe Illness from COVID-19 who have not yet been vaccinated are advised to use caution.

c. Personal gatherings should follow the CDC guidance on [gatherings](#).

d. Mass Indoor Gatherings when more than 100 people are gathered in a room in a [Public Indoor Space](#), the setting may operate at 100% capacity not to exceed 500 people, with 6 feet distancing required between parties. Venues may apply to their local public health agency for a variance to exceed 500 people, to be finally approved by CDPHE. These requirements do not apply to the following sectors:

- i. Places of worship and associated ceremonies,
- ii. Retail services,
- iii. Restaurants that have sit-down dining and do not have unseated areas where 100 or more people could gather (such as dance floors or common gathering areas), and
- iv. School proms and graduations that wish to exceed these thresholds shall be subject to review and approval by local public health agencies in accordance with CDPHE prom and graduation guidance.

e. Any business or activity that was not authorized to operate in more restrictive levels is authorized to open.

## **15. Level Blue: Cautious Normal**

a. To qualify for Level Blue, Summit County must have a 7 Day Incidence Level of 101 – 250 cases per 100,000 and 60% of the population must be fully vaccinated.

b. Personal gatherings should follow CDC guidance on [gatherings](#). Individuals at risk of Severe Illness from COVID-19 who have not yet been vaccinated with a COVID-19 vaccine are advised to use caution.

c. Childcare and Camps: open and must follow the cases and outbreaks in child care and schools guidance found [here](#).

d. Schools P-12: in-person learning recommended and must follow the cases and outbreaks in child care and schools guidance found [here](#).

e. Higher Education: In-person learning recommended.

f. 5 Star Certified Restaurants: May operate at 100% capacity with 6 feet distancing between parties indoors and 3 ft. distancing for outdoor seating. All on-premises licensees licensed under Article 2, 4, and 5 of Title 44 of the Colorado Revised Statutes must cease all alcohol beverage sales, service, possession, and consumption to end consumers (including employees) for on-premises consumption between 12:00 a.m. and 7:00 a.m. daily.

g. Non 5 Star Certified Restaurants: May operate at 100% capacity with 6 feet of distancing between parties indoors and 3 feet distancing for outdoor seating. All on-premises licensees licensed under Article 2, 4, and 5 of Title 44 of the Colorado Revised Statutes must cease all alcohol beverage sales, service, possession, and consumption to end consumers (including employees) for on-premises consumption between 11:00 p.m. and 7:00 a.m. daily.

h. Recreation including Gyms, recreation centers and pools and outdoor recreation facilities may operate at 100% capacity with 6 feet of distancing between parties.

i. Non-Critical Manufacturing may operate at 75% of the posted occupancy limit.

j. Non-Critical Office-based Business may allow in-person work up to 75% of their posted occupancy limit.

k. Critical and Non-critical Retail may operate at 75% of the posted occupancy limit.

l. Field Services may operate, and real estate open houses must follow the Indoor Event capacity limits.

m. Personal Services may operate at 75% of the posted occupancy limit, not to exceed 50 people, whichever is less, per room.

n. Limited Healthcare Settings may operate at 75% of the posted occupancy limit, not to exceed 50 people, whichever is less, per room.

o. Indoor Events may be conducted at 50% of the posted occupancy limit, not to exceed 175 people, whichever is less, per room, excluding staff. If the event is seated, the event may be conducted at 50% the posted occupancy limit, not to exceed 225 people, whichever is less, per room, excluding staff with a minimum of 6 feet distancing between groups.

p. Outdoor Events may be conducted at 75% of the posted occupancy limit, not to exceed 2,000 people, whichever is less, per room, excluding staff. If the event is seated, the event may be conducted at 70% the posted occupancy limit, not to exceed 1,000 people, whichever is less, per room, excluding staff with a minimum of 6 feet distancing between groups.

q. Outdoor Guided Activities may operate in full.

r. Children's Day Camps, Residential Camps, Youth Sports Day Camps and Exempt Single Skill-Building Youth Camps may operate with 50 people per activity.

s. Bars that do not serve food may operate at 25% capacity not to exceed 75 people.

t. Organized youth or adult league sports may resume activities with no more than 50 players, excluding coaching staff and referees or umpires. Summit County Public Health will review and approve plans in consideration of previous established protocols in CDPHE PHO 20-36 Section III.O.

u. Critical Businesses and Critical Government Functions may continue to operate without capacity limitations.

v. Transportation may operate at 75% capacity.

## **16. Level Yellow: Community Concern**

a. To qualify for Level Yellow, Summit County must have a 7 Day Incidence Level of 251 – 500 cases per 100,000 and 50% of the population has received at least 1 dose of the COVID-19 vaccine.

b. Personal gatherings should follow CDC guidance on [gatherings](#). Individuals at risk of Severe Illness from COVID-19 who have not yet been vaccinated with a COVID-19 vaccine are advised to use caution.

c. Childcare: open and must follow the cases and outbreaks in child care and schools guidance found [here](#).

d. Schools P-12: In-person learning suggested, utilize hybrid or remote learning as appropriate. Must follow the cases and outbreaks in child care and schools guidance found [here](#).

e. Higher Education: In-person learning suggested, utilize hybrid or remote learning as appropriate

f. 5 Star Certified Restaurants: May operate at 100% capacity with 6 feet distancing between parties for indoor and 3 feet distancing between parties for outdoor seating. All on-premises licensees licensed under Article 2, 4, and 5 of Title 44 of the Colorado Revised Statutes must cease all alcohol beverage sales, service, possession, and consumption to end consumers (including employees) for on-premises consumption between 11:00 p.m. and 7:00 a.m. daily.

g. Non 5 Star Certified Restaurants: May operate at 50% capacity, not to exceed 150 people, excluding staff, per room, with 6 feet distancing between parties for indoor seating and 3 feet distancing for outdoor seating. All on-premises licensees licensed under Article 2, 4, and 5 of Title 44 of the Colorado Revised Statutes must cease all alcohol beverage sales, service, possession, and consumption to end consumers (including employees) for on-premises consumption between 10:00 p.m. and 7:00 a.m. daily.

h. Recreation including Gyms, recreation centers and pools and outdoor recreation facilities may operate at 50% capacity, not to exceed 50 people, whichever is less, per room indoors or per activity or area outdoors with 6 feet distancing between parties.

i. Non-Critical Manufacturing: may operate at 50% of the posted occupancy limit not to exceed 50 people, whichever is less, per room. May operate up to 100 people using the [Distancing Space Calculator](#).

j. Non-Critical Office-based Business may allow in-person work up to 50% of their posted occupancy limit. Remote work for employees is strongly encouraged.

k. Critical and Non-critical Retail may operate at 50% of the posted occupancy limit.

l. Field Services may operate the same as Blue Level.

m. Personal Services may operate at 50% of the posted occupancy limit, not to exceed 50 people, whichever is less, per room.

n. Limited Healthcare Settings may operate at 50% of the posted occupancy limit, not to exceed 50 people, whichever is less, per room.

o. Indoor Events may be conducted at 50% of the posted occupancy limit, not to exceed 50 people, whichever is less, per room, excluding staff, or up to 150 people using the [Distancing Space Calculator](#). If the event is seated, the event may be conducted at 50% the posted occupancy limit, not to exceed 50 people, whichever is less, per room, excluding staff, or up to 150 people with a minimum of 6 feet distancing between groups.

p. Outdoor Events may be conducted at 50% of the posted occupancy limit, not to exceed 175 people, whichever is less, per room, excluding staff. If the event is seated, the event may be conducted at 50% the posted occupancy limit, not to exceed 175 people, whichever is less, per room, excluding staff.

q. Outdoor Guided Activities may be conducted at 50% not to exceed 10 people, whichever is less.

r. Children's Day Camps, Residential Camps, Youth Sports Day Camps and Exempt Single Skill-Building Youth Camps may operate with 25 people per activity.

s. Bars that do not serve food remain closed.

t. Organized youth or adult league sports may resume activities with no more than 25 players, excluding coaching staff and referees or umpires. Summit County Public Health will review and approve plans in consideration of previous established protocols in CDPHE PHO 20-36 Section III.O.

u. Critical Businesses and Critical Government Functions may continue to operate without capacity limitations.

v. Transportation may operate at 75% capacity.

## **17. Level Orange: High Risk**

a. To qualify for Level Orange, Summit County must have a 7 Day Incidence Level of 501+ cases per 100,000 and 40% of the population has received at least 1 dose of the COVID-19 vaccine.

b. Personal gatherings should follow CDC guidance on [gatherings](#). Individuals at risk of Severe Illness from COVID-19 who have not yet been vaccinated with a COVID-19 vaccine are strongly advised to Stay at Home.

c. Childcare: open and must follow the cases and outbreaks in child care and schools guidance found [here](#).

d. Schools P-12: In-person learning suggested, utilize hybrid or remote learning as appropriate. Must follow the cases and outbreaks in child care and schools guidance found [here](#).



e. Higher Education: In-person learning suggested, utilize hybrid or remote learning as appropriate

f. 5 Star Certified Restaurants: May operate at 50% capacity, not to exceed 150 people, excluding staff, whichever is less, per room with 6 feet distancing between parties for indoor and 3 feet distancing between parties for outdoor seating. All on-premises licensees licensed under Article 2, 4, and 5 of Title 44 of the Colorado Revised Statutes must cease all alcohol beverage sales, service, possession, and consumption to end consumers (including employees) for on-premises consumption between 11:00 p.m. and 7:00 a.m. daily.

g. Non 5 Star Certified Restaurants: May operate at 25% capacity, not to exceed 50 people, excluding staff, whichever is less, per room with 6 feet distancing between parties for indoor and 3 feet distancing between parties for outdoor seating. All on-premises licensees licensed under Article 2, 4, and 5 of Title 44 of the Colorado Revised Statutes must cease all alcohol beverage sales, service, possession, and consumption to end consumers (including employees) for on-premises consumption between 10:00 p.m. and 7:00 a.m. daily.

h. Recreation: Including Gyms, recreation centers and pools and outdoor recreation facilities may operate at 25% capacity, not to exceed 50 people, whichever is less, per room indoors or not to exceed groups of 10 outdoors with 6 feet distancing between parties.

i. Non-Critical Manufacturing: may operate at 25% of the posted occupancy limit not to exceed 50 people, whichever is less, per room.

j. Non-Critical Office-based Business may allow in-person work up to 25% of their posted occupancy limit. Remote work for employees is strongly encouraged.

k. Critical and Non-critical Retail may operate at 50% of the posted occupancy limit. Curbside pick-up and delivery is recommended as well as dedicated senior and at-risk hours.

l. Field Services may operate and real estate open houses must follow Indoor Event requirements.

m. Personal Services may operate at 25% of the posted occupancy limit, not to exceed 25 people, whichever is less, per room.

n. Limited Healthcare Settings may operate at 25% of the posted occupancy limit, not to exceed 25 people, whichever is less, per room.

o. Indoor Events may be conducted at 25% of the posted occupancy limit, not to exceed 50 people, whichever is less, per room, excluding staff, within their usable space calculated using the [Distancing Space Calculator](#). If the event is seated, the event may be

conducted at 25% of the posted occupancy limit, not to exceed 50 people, whichever is less, per room, excluding staff, with a minimum of 6 feet distancing between groups.

p. Outdoor Events may be conducted at 25% of the posted occupancy limit, not to exceed 75 people, whichever is less, per room, excluding staff. If the event is seated, the event may be conducted at 25% the posted occupancy limit, not to exceed 75 people, whichever is less, per room, excluding staff.

q. Outdoor Guided Activities may be conducted at 25% not to exceed 10 people, whichever is less.

r. Children's Day Camps, Residential Camps, Youth Sports Day Camps and Exempt Single Skill-Building Youth Camps may be conducted with no more than 10 participants per activity.

s. Bars that do not serve food remain closed.

t. Organized youth or adult league sports may resume activities with no more than 10 players, excluding coaching staff and referees or umpires. Summit County Public Health Summit County Public Health will review and approve plans in consideration of previous established protocols in CDPHE PHO 20-36 Section III.O.

u. Critical Businesses and Critical Government Functions may continue to operate without capacity limitations.

v. Transportation may operate at 50% capacity.

## **18. Level Red: Severe Risk**

a. To qualify for Level Red, Summit County local hospital capacity will have reached 80% of surge capacity or regional hospital system will have reached 85% of surge capacity.

b. Personal and private gatherings involving two or more people are prohibited, except for the limited purposes expressly authorized in this Order and for the purpose of accessing or engaging in Necessary Activities as defined CDPHE PHO 20-36. Nothing in this Order prohibits the gathering of members living in the same residence.

c. Childcare: Open and must follow the cases and outbreaks in child care and schools guidance found [here](#).

d. Schools P-12: P-5, in person learning is suggested, utilizing hybrid or remote learning as appropriate. Middle school, in person, hybrid, or remote learning suggested. High school, hybrid or remote suggested. Must follow the cases and outbreaks in child care and schools guidance found [here](#).

e. Higher Education: Remote learning suggested with limited in-person learning when necessary.

f. 5 Star Certified Restaurants: May operate at 25% capacity, not to exceed 50 people, excluding staff, whichever is less, per room with 6 feet distancing between parties for indoor and 3 feet of distancing between parties for outdoor seating. All on-premises licensees licensed under Article 2, 4, and 5 of Title 44 of the Colorado Revised Statutes must cease all alcohol beverage sales, service, possession, and consumption to end consumers (including employees) for on-premises consumption between 11:00 p.m. and 7:00 a.m. daily.

g. Non 5 Star Certified Restaurants: Closed for in-person indoor dining but may offer curbside, takeout and delivery services. Restaurants may also use any existing, licensed outdoor space for in-person outdoor dining with tables limited to members of the same household and minimum spacing of 6 feet apart. All on-premises licensees licensed under Article 2, 4, and 5 of Title 44 of the Colorado Revised Statutes must cease all alcohol beverage sales, service, possession, and consumption to end consumers (including employees) for on-premises consumption between 10:00 p.m. and 7:00 a.m. daily.

h. Recreation: Including Gyms, recreation centers and pools and outdoor recreation facilities may operate at 10% capacity, not to exceed 10 people, whichever is less, per room indoors or not to exceed groups of 10 outdoors with 6 feet distancing between parties. Reservations are required.

i. Non-Critical Manufacturing: may operate at 25% of the posted occupancy limit not to exceed 50 people, whichever is less, per room.

j. Non-Critical Office-based Business may allow in-person work up to 10% of their posted occupancy limit. Remote work for employees is strongly encouraged.

k. Critical and Non-critical Retail may operate at 50% of the posted occupancy limit. Curbside pick-up and delivery is recommended as well as dedicated senior and at-risk hours.

l. Field Services that are not necessary to maintain the safety, sanitation and critical operation of residences and other Critical Businesses or Critical Government Functions are closed. Individual real estate showings are authorized and open houses may operate with only one household in the property at a time.

m. Personal Services may operate at 25% of the posted occupancy limit, not to exceed 25 people, whichever is less, per room.

n. Limited Healthcare Settings may operate at 25% of the posted occupancy limit, not to exceed 25 people, whichever is less, per room.

o. Indoor Events closed, except that educational institutions like museums and aquariums may operate at 25% of the posted occupancy limit not to exceed 25 people, whichever is less.

p. Outdoor Events may be conducted at 25% of the posted occupancy limit, not to exceed 75 people, whichever is less, per room, excluding staff, within their usable space calculated using the [Distancing Space Calculator](#). Two or more individuals attending an outdoor event together must be members of the same household and shall maintain 6 feet distancing from attendees who are not household members.

q. Outdoor Guided Activities may be conducted at 25% not to exceed 10 people, whichever is less.

r. Children's Day Camps, Residential Camps, Youth Sports Day Camps and Exempt Single Skill-Building Youth Camps may be conducted virtually or with no more than 10 participants outdoors only.

s. Bars that do not serve food remain closed.

t. Organized recreational youth or adult league sports are not authorized for indoor settings. Virtual services may be provided, or outdoor recreational sports in groups of 10 people or fewer may occur, maintaining 6 feet distancing requirements between non-household contacts.

u. Critical Businesses and Critical Government Functions may continue to operate without capacity limitations.

v. Transportation may operate at 50% capacity.

## **19. Level Purple: Extreme Risk**

a. To qualify for Level Purple, statewide hospital capacity risks being breached, which may be indicated by approaching the need for hospital crisis standards of care, or utilizing alternate care sites or critical shortages of staff or hospitals approaching 90% surge capacity.

b. Personal and private gatherings involving two or more people are prohibited, except for the limited purposes expressly authorized in this Order and for the purpose of accessing or engaging in Necessary Activities as defined CDPHE PHO 20-36. Nothing in this Order prohibits the gathering of members living in the same residence.

c. All travel, including, but not limited to, travel by automobile or public transit, except Necessary Travel as defined by CDPHE PHO 20-36 is prohibited. People must use public transit only for purposes of performing Necessary Activities or to travel to and from

work to operate Critical Business or maintain Critical Governmental Functions. People riding public transit must comply with physical distancing to the greatest extent feasible.

d. Childcare: Open and must follow the cases and outbreaks in child care and schools guidance found [here](#).

e. Schools P-12: in-person learning, hybrid, or remote learning as appropriate. Must follow the cases and outbreaks in child care and schools guidance found [here](#).

f. Higher Education: Remote learning suggested with very limited in-person learning when necessary.

g. 5 Star Certified Restaurants: Closed for in-person and outdoor dining but may offer curbside, takeout and delivery services.

h. Non 5 Star Certified Restaurants: Closed for in-person and outdoor dining but may offer curbside, takeout and delivery services.

i. Recreation: including Gyms, recreation centers and pools and outdoor recreation facilities are closed for indoor activities, may offer virtual or outdoor classes in groups of 10 or fewer and must maintain 6 feet distancing.

j. Non-Critical Manufacturing may operate at 10% of the posted occupancy limit not to exceed 25 people, whichever is less, per room.

k. Non-Critical Office-based Business are closed for in-person work but may continue to perform remote work if possible to carry out Minimum Basic Operations.

l. Critical and Non-critical Retail: Non-critical retail is closed for in-person work or services but may operate and provide curbside, pick up or delivery services, may provide services online, and may continue to carry out Minimum Basic Operations. Critical Retail may operate at 50% capacity but is strongly encouraged to take extraordinary measures to provide enhances curbside, pick up or delivery services and minimum in-person services to the greatest extent possible.

m. Field Services that are not necessary to maintain the safety, sanitation and critical operation of residences and other Critical Businesses or Critical Government Functions are closed, including real estate open houses.

n. Personal Services are closed for in-person work and services but may continue to carry out Minimum Basic Operations.

o. Limited Healthcare Settings may operate at 10% of the posted occupancy limit, not to exceed 25 people, whichever is less, per room.

- p. Indoor Events are closed.
- q. Outdoor Events are closed.
- r. Outdoor Guided Activities may be conducted at 25% or up to 10 people from the same household, whichever is less.
- s. Children's Day Camps, Residential Camps, Youth Sports Day Camps and Exempt Single Skill-Building Youth Camps are closed.
- t. Bars that do not serve food remain closed.
- u. Organized recreational youth or adult league sports are not authorized for indoor settings. Virtual services may be provided, or outdoor recreational sports in groups of 10 people or fewer may occur, maintaining 6 feet distancing requirements between non-household contacts.
- v. Critical Businesses and Critical Government Functions may continue to operate without capacity limitations.
- w. Transportation may operate at 50% capacity.

**20. Employee Health Surveillance for Restaurant and Lodging Workers.** All Restaurants, Bars and other places of public accommodation permitted to offer food and beverages for on-site consumption pursuant to the CDPHE PHO 20-36 as amended and all lodging operators shall maintain a record of the following employee information, for the purposes of contact tracing activities in the event of a suspected or confirmed outbreak of COVID-19:

- a. Current contact information for all employees,
- b. Dates of all shifts worked by all employees, dating back to re-opening, and
- c. Other known places of employment for each employee.

**21. Public Transportation Services.**

a. All transportation services riders and operators ages 3 and older must wear face coverings at all times except as otherwise exempted in Section 23 of this Order and follow appropriate Physical Distancing Requirements to the greatest extent possible.

**22. Construction Site Health Protection.** All construction activities must adhere to the Summit County Building Department COVID-19 Policies and Procedures or the equivalent document within the applicable jurisdiction.

**23. Face Coverings.**

- a. Individuals must wear face coverings that cover nose and mouth whenever:
  - i. Within indoor areas open to the general public,
  - ii. At an outdoor event whenever individuals will be within 6 feet of each other for more than 15 minutes (Ex. Outdoor concert or parade), or
  - iii. In all other venues where a mask is required within the most current CDPHE or Colorado Executive Mask Orders.
  
- b. Exceptions:
  - i. Persons seated at a retail food establishment or other indoor event involving eating/drinking.
  - ii. Young children under the age of 2.
  - iii. Persons with medical conditions that make it difficult to breathe or persons otherwise unable to remove the mask without assistance.
  - iv. Performances with vocal speech or singing, wind or brass instruments, or activities that cause heavy breathing should be 12 feet from patrons if the performer is wearing a mask. If not wearing a mask, performers should be 25 feet from spectators. Performances with no forced exhalation as in the prior examples, like a piano, harp, or organ player, should be a minimum of 6 feet from patrons, but 12 feet is preferred.
  - v. Persons who are with others from their household, in a room in a public indoor space.
  - vi. Persons in private meetings or workplace spaces where all persons are vaccinated and the public does not have access.
  - vii. Persons engaged in physical activities such as swimming, wrestling, spirit or other sports where helmets/mouth guards interfere with the mask and pose a physical or breathing hazard to the wearer; or other similar activities may be approved at the discretion of SCPH.
  - viii. Persons who are hearing-impaired or otherwise disabled or who are communicating with someone who is hearing-impaired or otherwise disabled and where the ability to see the mouth is essential to communication.

- ix. Persons receiving a personal service where the temporary removal of the mask is necessary to perform the service.
- x. Persons who are entering a business or receiving services and are asked to temporarily remove a mask for identification purposes.
- xi. Persons actively engaged in a public safety role such as law enforcement, firefighters, or emergency medical personnel that prevents the user from safely wearing a mask.
- xii. Persons officiating or participating in a life rite or religious service where the temporary removal of a mask is necessary to complete or participate in the life rite or religious service.
- xiii. Persons giving a speech for broadcast or to an audience if the audience is at least 25 feet away from the speaker. Audience members must wear masks in according with this Order.

c. In order to ensure that sufficient supplies of medical face masks are available to health care workers, members of the public are strongly encouraged to use non-medical cloth face coverings, unless a medical face mask is medically necessary.

d. In accordance with Governor Polis' Executive Order D 2020 219, as amended, employers and operators of places of public accommodation, and those authorized on their behalf, shall have discretion to deny admittance or service and require the removal of any individual who fails to wear a medical or non-medical face covering. Such action shall be applied in a manner consistent with the American Disabilities Act (42 U.S.C. § 12101 *et seq.*), Title VII of the Civil Rights Act (42 U.S.C. § 2000e *et seq.*), the Colorado Anti-Discrimination Act (C.R.S. § 24-34-401 *et seq.*), and any other relevant federal or state law.

## **24. Additional Information, Recommendations and Requirements for all Persons.**

a. Importance of Public Actions: These actions are some of the most readily available and effective tools to help slow the spread of the virus in our community – and, importantly, to reduce the number of potential deaths caused by COVID-19. By slowing the spread, we protect our family, friends, and neighbors. In particular, this includes all adults over age 65 and anyone with an underlying health condition.

These actions will limit the cascading impacts on critical services due to high absenteeism if large numbers of workers become ill. This Order and the actions required or recommended herein will help hospitals, first responders, and other health care services continue to provide services for those who need them (along with utilities, human services, and businesses) in the coming months. Collective action can save lives and is in support of the most vulnerable in our



community. The more united we can be in preventing the spread, the greater the benefit for the whole community.

b. Importance of Business Actions: The actions listed in this Order and in the State of Colorado Public Health Order, are some of the most readily available and effective tools to help slow the spread of the virus in our community – and, importantly, to reduce the number of hospitalizations and deaths caused by COVID-19. By slowing the spread, businesses protect their workers and customers and our local economy.

Businesses shall not require, incentivize, encourage or coerce employees, contractors or subcontractors into risking their health by violating this Order, including by working while sick, working without a face covering, or working without proper protective equipment or protocols.

Businesses are strongly encouraged to be supportive of employees who are ordered to self-isolate or quarantine, including by paying them to stay home. Summit County Public Health may publish information about any outbreak at a business so that the public is aware of the extent and nature of disease spread in the community.

**25. Penalties.** Failure to comply with this Order is subject to the penalties contained in Section 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 (18) months.

By:  \_\_\_\_\_

**Amy Wineland, RN, MSN, ND, CPNP**  
**Summit County Public Health Director**  
**May 4, 2021**