

**THIRD AMENDED AND RESTATED
PUBLIC HEALTH ORDER NO. 2, SERIES 2020**

**PUBLIC HEALTH ORDER OF THE CITY OF GLENWOOD
SPRINGS, COLORADO FOR THE PROMOTION OF HEALTH
AND SUPPRESSION OF DISEASE TO REQUIRE FACE
COVERINGS INSIDE OF PLACES OPEN TO THE PUBLIC AND
WITHIN DESIGNATED OUTDOOR SPACE.**

CITY OF GLENWOOD SPRINGS CITY MANAGER ACTING AS HEALTH OFFICER

July 28, 2020

1. Findings.

- a. The City of Glenwood Springs (“Glenwood Springs” or the “City”) is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Glenwood Springs Home Rule Charter and Code.
- b. The Novel Coronavirus, which causes the COVID-19 disease has been declared a worldwide pandemic by the World Health Organization, a national emergency by the President of the United States, a disaster by the Governor of Colorado, and a local disaster emergency by the City.
- c. The City of Glenwood Springs issued Public Health Order No. 2, Series 2020 on April 7, 2020 requiring the use of face coverings inside of places and conveyances open to the public, and amended orders on April 24, 2020 and June 5, 2020.
- d. Scientific evidence demonstrates that wide adoption of face coverings has the potential to significantly reduce transmission rates of the novel coronavirus.
- e. On July 16, 2020, Governor Jared Polis issued Executive Order D 2020 138 requiring individuals within the state of Colorado to wear medical or non-medical face coverings within an Indoor Public Space, as defined therein.
- f. Executive Order D 2020 138 furthermore permits municipalities to enact more protective standards than those contained in the Order.
- g. Garfield County has experienced significant increases in new cases of COVID-19 in the past two months, resulting in a High spread threshold pursuant to Garfield County Public Health and Colorado Department of Public Health and Environment benchmarks.
- h. The City’s downtown core contains numerous businesses, attractions, and events within a relatively small area and is especially busy during the summer tourist season.

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- i. The circumstances in the City's downtown core results in the public not being able to maintain six feet of separation from other not in the same household, as required by Executive Order 2020 127 Protect Our Neighbors.

2. Purpose, Effective Area. This Public Health Order is being issued to limit the health impacts of COVID-19. This Order sets forth requirements for the public to utilize face coverings inside of public places and conveyances, and within certain outdoor areas in the City's downtown core, to slow the spread of the COVID-19 virus. This Order is effective within the entirety of the territory of the City of Glenwood Springs, Colorado.

3. Effective Date and Time, Limitations. The Public Health Order will become effective immediately and will remain in effect until further notice.

4. Legal Authority. This Order is adopted pursuant to the legal authority set forth in section 31-15-401(b), Colorado Revised Statutes as well as all other applicable laws, rules, regulations, orders and declarations. Under this authority, the City of Glenwood Springs has the police powers "[t]o do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease" within the territorial limits of the City of Glenwood Springs. Under the Glenwood Springs Municipal Code Section 100.010.010, the City Health Officer has the authority to "do all things which are reasonably necessary to prevent the spread of communicable diseases." Immediate issuance of this Order is deemed reasonable and necessary under the existing circumstances and necessary for the preservation of the public health, safety and welfare.

The City's authority to issue this Order is in addition to those exercised by the Governor of Colorado, State of Colorado Department of Public Health and Environment, and Garfield County Department of Public Health.

5. Definitions.

- a. **Face Covering** shall mean a uniform piece of material that securely covers a person's nose and mouth and remains affixed in place without the use of one's hands.

6. Face Coverings required. All persons shall wear Face Coverings:

- a. when entering and while inside of a place or conveyance open to the public,
- b. in such other public indoor or outdoor places where persons are unable to maintain safe social distancing (six or more feet separation) from others not of their own household; and
- c. in all circumstances where Face Coverings are required to be worn by Garfield County Public Health Department Standing Order Implementing Variance from Colorado Public Health Order 20-28.;
- d. in all circumstances where Face Coverings are required to be worn by the Governor of Colorado's Executive Order D 2020 138; and

- e. within outdoor spaces open to the public, as depicted on **Exhibit A**, attached hereto.

7. Exceptions. Nothing herein shall require the wearing of face coverings by the following persons:

- a. Persons under the age of two years; and
- b. Persons for whom a face covering would cause impairment due to an existing health condition.
- c. Persons working in a professional office who do not have any face-to-face interactions with the public.
- d. Persons seated at a table in a restaurant.
- e. Persons exercising in a gym or fitness center when wearing a face covering is not physically possible.

8. General Information for all Persons. Pursuant to federal Centers for Disease Control guidance, the public is strongly encouraged to wear cloth Face Coverings that:

- fit snugly but comfortably against the side of the face;
- are secured with ties or ear loops;
- include multiple layers of fabric;
- allow for breathing without restriction; and
- are able to be laundered and machine dried without damage or change to shape.

Information on making such masks can be found at: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>

These actions will limit the cascading impacts on critical services by limiting spread of COVID-19. This Order and actions will help hospitals, first responders, and other healthcare services continue to provide services for those who need them (along with utilities, human services, and businesses) in the coming weeks and months. Collective action can save lives and is in support of the most vulnerable in our community.

9. Most Restrictive Standard Controls. To the extent any County, State and/or Federal orders or laws are more restrictive than what is set forth herein, such orders control. The Health Officer hereby adopts such standards and orders, as may be amended, as its own and will enforce as if set forth in the Glenwood Springs Municipal Code.

10. Penalties. Failure to comply with this Order is subject to the penalties contained in Section 010.020.080 of the Glenwood Springs Municipal Code, including up to a \$1,000 fine and 364 days imprisonment per day for each violation.

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A handwritten signature in cursive script, appearing to read "Jennifer Oton".

By: Jennifer Oton (Acting City Manager 7/28/20)

City of Glenwood Springs City Manager acting as City Health Officer

July 28, 2020