



Amending Standing Lake County Public Health Orders

September 21, 2020 at 8:00 AM MST

REPLACING and SUPERSEDING Public Health COVID-19 Safer-At-Home Order (version April-23-2020, as amended May-26-2020, June-13-2020, June-18-2020, June-22-2020, and July-01-2020)

1. **Purpose, Effective Area.** The April 23, 2020 Lake County Public Health Order, as amended, governs the local response to COVID-19, including limitations and allowances for business operations. This and related preceding Public Health Orders are in place to limit the health impacts of COVID-19. The Order is effective within the entirety of Lake County, including the City of Leadville.

The purpose of this Amendment and Restatement is to update the Lake County Public Health Order's to align with State of Colorado Public Health Orders issued by Colorado Department of Public Health and Environment (CDPHE) on September 5, 2020 ("Amended Public Health Order 20-32, Protect Our Neighbors) and on September 15, 2020 ("Safer At Home Dial, Public Health Order 20-35") and to address additional amendments provided within Governor Polis' Executive Order 2020 199, adopted September 19, 2020.

2. **Effective Date and Time, Limitations.** On April 23, 2020, Lake County Public Health Agency (LCPHA) issued a Public Health Order to set forth requirements for general public conduct; group gatherings and events; business operations, including retail, restaurant, and personal services; short-term lodging; and provide additional guidance to slow the spread of the COVID-19 virus, which became effective Monday April 27, 2020, at 12:01AM. LCPHA amended this Public Health Order on May 26, 2020 to permit expanded operations within Licensed Retail Food Establishments and Lodging Establishments (effective 12:01AM Wednesday May 27, 2020), and again amended on June 13, 2020 to address Places of Worship and Life Rites (effective Sunday June 14, 2020, at 12:01AM), and on June 18, 2020 (effective Thursday June 18, 2020, at 12:01AM) to address local attractions, private clubs, and outdoor education programs, and again on June 22, 2020 (effective June 22, 2020 at 12:01AM) to address group size allowances, bars and taverns, and mandate face coverings in public spaces, and again on July 1, 2020 to restate alignment of local public health order with CDPHE amendments and variance approvals (effective July 1, 2020 at 12:01PM).

This current Amendment will become effective at 12:01PM on Monday, September 21, 2020 unless otherwise specifically provided for herein and will remain in effect until further notice.

3. **Amendments**

This Lake County Public Health Order amendment supersedes and replaces the April 23, 2020 Safer-At-Home Lake County Public Health Order as amended.



This order adopts and incorporates by reference the restrictions and guidance set forth in the state-level September 5, 2020 CDPHE Public Health Order 20-32 (“Amended Protect Our Neighbors”) and in the September 15, 2020 CDPHE Public Health Order 20-35 (“Safer At Home Dial”), including individual requirements and business and workplace activities, except as explicitly otherwise stated herein.

4. Exceptions to CDPHE Public Health Order 20-35 - Safer At Home Dial, with amended language to be substituted in its place, for Sept-21-2020 Lake County Public Health Order:

a. Face Coverings

1. Section III, Business and Activity Requirements in Safer at Home, paragraph C.1, is amended to read, “Face Coverings. Face coverings are required pursuant to Executive Order D 2020 138, as amended and extended, for all individuals in public indoor settings unless the individual is **3 years of age or younger**, cannot medically tolerate a face covering, or is participating in one of the activities described in Section II.M of Executive Order D 2020 138, as amended and extended.”

b. General Group Gathering Size Maximum

1. Section II, Safer At Home Levels, B. Level 1., paragraph 2.a, is amended to read, “Public and private gatherings are limited to no more than **10** individuals when not otherwise regulated as a specific sector or activity in Section III of this Order. Nothing in this Order prohibits the gathering of members living in the same residence.”

c. Places of Worship

1. Section II, Safer At Home Levels, B. Level 1., paragraph 2.j, is amended to read, “Houses of worship and Life Rites may operate at 50% of the posted occupancy limit indoors not to exceed **100** people, whichever is less, per room. For outdoor worship services, a house of worship must maintain 6 feet distance between non-household members and work with the appropriate local authority to obtain approval for the maximum number of individuals who may attend in the designated outdoor space.”
2. Section II, Safer At Home Levels, D. Level 3., paragraph 2.j, is amended to read, “Houses of worship and Life Rites may operate at 50% of the posted occupancy limit indoors not to exceed **10** people, whichever is less, per room. For outdoor worship services, a house of worship must maintain 6 feet distance between non-household members and work with the appropriate local authority to obtain approval for the maximum number of individuals who may attend in the designated outdoor space.”

d. Restaurants



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1. Section II, Safer At Home Levels, B. Level 1., paragraph 2.h, is amended to read, "Restaurants may operate at 50% of the posted occupancy limit indoors not to exceed **100** people, whichever is less, per room. Restaurants may also use any existing, licensed outdoor space for in-person dining with the same group limit of 10 and minimum spacing of 6 feet apart. Restaurants must have or obtain approval from their local government's permitting, building and fire code oversight agency for any new outdoor dining space prior to use."
2. Section II, Safer At Home Levels, D. Level 3., paragraph 2.h, is amended to read, "Restaurants may offer pick-up, delivery, and curbside service only."

e. **Gyms/Fitness Centers**

1. Section II, Safer At Home Levels, B. Level 1., paragraph 2.m, is amended to read, "Recreation, including Gyms, recreation centers and indoor pools and outdoor recreation facilities, may open at 25% capacity, not to exceed **50** patrons, whichever is less, per room indoors or per activity or area outdoors."
2. Section II, Safer At Home Levels, D. Level 3., paragraph 2.m, is amended to read, "Recreation, including Gyms, recreation centers and indoor pools and outdoor recreation facilities and activities, may operate at 25% capacity, not to exceed **25** patrons, whichever is less, per room indoors or per activity or area outdoors."

f. **Personal Services**

1. Section II, Safer At Home Levels, D. Level 3., paragraph 2.f, is amended to read, "Personal Services may operate at 50% of the posted occupancy limit, not to exceed **10** people, per room."

g. **Indoor Events**

1. Section II, Safer At Home Levels, B. Level 1., paragraph 2.k, is amended to read, "Indoor Events may be conducted at 50% of the posted occupancy limit not to exceed **100** people per room."
2. Section II, Safer At Home Levels, D. Level 3., paragraph 2.k, is amended to read, "Indoor Events may allow up to **10** people within their usable space calculated using the Distancing Space Calculator, excluding staff, per room, unless the event is a seated event as described in Appendix I, in which case the calculator is not required and 6 feet distancing between non-household contacts is the standard measure."

h. Outdoor Events

1. Section II, Safer At Home Levels, B. Level 1., paragraph 2.1, is amended to read, "Outdoor Events may occur with up to **175** people per designated activity or area."
2. Section II, Safer At Home Levels, D. Level 3., paragraph 2.1, is amended to read, "Outdoor Events may allow up to **25** people within their usable space calculated using the Distancing Space Calculator, excluding staff, per designated activity or area, unless the event is a seated event as described in Appendix I, in which case the calculator is not required and 6 feet distancing between non-household contacts is the standard measure."

5. Exceptions to CDPHE Public Health Order 20-32 - Protect Our Neighbors, with amended language to be added within Sept-21-2020 Lake County Public Health Order:

Though CDPHE allows counties and regions that have met certain criteria to permit businesses and activities up to 50% pre-pandemic capacity, while maintaining social distancing, and up to 500 people in one sitting at a time, Lake County has established a maximum gathering size of 250 persons in one sitting. Specific sectors have additional restrictions, as set forth below:

a. General Group Gathering Size Maximum

1. Section II, Protect Our Neighbors, E., is amended to read, "Counties and regions certified for Protect Our Neighbors may allow any business or activity within their jurisdiction to operate at 50% of their pre-pandemic capacity not to exceed 500 people in any one setting. Certified counties and regions may impose restrictions within their jurisdictions that are lower than these maximum capacity limits, but may not exceed these limits.

Until and unless otherwise modified within local public health order, while in Protect Our Neighbors phase, Lake County will cap operations of all sectors and activities and operations of local businesses and other entities at no more than at 50% of their pre-pandemic capacity not to exceed **250** people in any one setting. This includes gatherings of individuals. Some sectors will have lower maximum gathering size as set forth herein."

2. Section II, Protect Our Neighbors, H., is amended to read, "Protect Our Neighbors means that counties or regions that meet certain criteria have less stringent restrictions than under Stay-At-Home and Safer-At-Home. Counties may permit businesses and activities at 50% of pre-pandemic capacity, with at least 6 feet between non-household members, and no more than 500 people in one setting at a time.

Until and unless otherwise modified within local public health order, while in Protect Our Neighbors phase, Lake County will cap operations of all sectors and activities and



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operations of local businesses and other entities at no more than at 50% of their pre-pandemic capacity not to exceed **250** people in any one setting. This includes gatherings of individuals. Some sectors will have lower maximum gathering size as set forth herein."

- b. In order to address those business sectors that will be required to operate at fewer than the 250 person maximum under Protect Our Neighbors phase, Lake County is adding "Appendix B: Additional Business Sectors" to its adoption of the state PHO 20-32.

Within Lake County's additional Appendix B, these business sectors will be addressed and corresponding paragraphs added to read:

1. **Bars.** Bars may operate at 50% of the posted occupancy limit indoors not to exceed **100** people, whichever is less, per room. Bars may also use any existing, licensed outdoor space for in-person service with the same group limit of 10 and minimum spacing of 6 feet apart. Bars must have or obtain approval applicable permitting, building and fire code approvals for any new outdoor space prior to use.
2. **Gyms/Fitness Centers.** Recreation, including Gyms, recreation centers and indoor pools and outdoor recreation facilities, may open at 50% capacity, not to exceed **75** patrons, whichever is less, per room indoors or per activity or area outdoors.
3. **Group Sports.** Organized recreational youth or adult league sports may resume activities with no more than **100** players, excluding coaching staff and referees or umpires.
4. **Personal Services.** Personal Services may operate at 50% of the posted occupancy limit, not to exceed **100** people, per room.
5. **Indoor Events.** Indoor Events may be conducted at 50% of the posted occupancy limit not to exceed **150** people per room."

Additionally, each entity must comply with the General Business Limitations, as incorporated herein, and are subject to review and individual authorization by LCPHA to operate within approved limited "Business Social Distancing Protocol(s)" parameters applicable to their organization.

By:

Colleen Nielsen, RN, BSN
Director, Lake County Public Health Agency
September 21, 2020