

AMENDED PUBLIC HEALTH ORDER

Utah County, Utah

WHEREAS, on January 21, 2020, the Utah Department of Health (“UDOH”) activated its Department of Operations Center in response to the evolving novel Coronavirus disease 2019 (COVID-19) global pandemic. The UDOH recognizes COVID-19 as an imminent threat to the health and safety of the residents of the State of Utah (“Utah”). The UDOH, local health departments, and health and medical partners have activated response plans and protocols to prepare and to minimize the likely community spread of the virus in Utah and its impact on our healthcare resources. These partners have also worked to identify, contact, and test others in Utah potentially exposed to COVID-19 in coordination with the United States Centers for Disease Control and Prevention (“CDC”); and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, beginning on January 27, 2020; and

WHEREAS, the CDC has identified the potential health threat posed by COVID-19 both globally and in the United States as “high,” and has advised that the person-to-person spread of COVID-19 will continue to occur globally, including within the United States; and

WHEREAS, as of March 31, 2020, the CDC indicates that there are over 163,539 confirmed cases of COVID-19 in the United States and the UDOH reports 1012 cases in Utah as of April 1, 2020, with over 90 confirmed cases in Utah County; and

WHEREAS, the UDOH recognizes that confirmed community transmission in the United States and in Utah significantly increases the risk of exposure and infection to the general public, which creates an extreme public health risk that may spread quickly; and

WHEREAS, to combat the spread of COVID-19, Utah and various counties, including concurrently with this declaration, Utah County, have declared local public health emergencies; and

WHEREAS, the Utah County Health Department (“Department”) Executive Director / Local Health Officer finds the widespread community transmission occurring among the general public and the need for Utah County and the public to work cooperatively and proactively to slow the spread of COVID-19 and address any challenges that may arise due to this disease in Utah County; and

Board of Health

Jeff Acerson, Chair

WHEREAS, on March 6, 2020, Governor Gary R. Herbert issued an executive order declaring a state of emergency due to COVID-19; and

WHEREAS, on March 13, 2020, Governor Gary Herbert dismissed all Utah public schools for two weeks to combat the spread of COVID-19 (the "School Dismissal"). The School Dismissal means that students will not be allowed to attend school, but staff, faculty, and food services personnel will be allowed to be in the school facility; and

WHEREAS, on March 17, the UDOH, in coordination with the Governor's Office and Utah COVID-19 Community Task Force, issued a Public Health Order ("State Order") to all restaurants, bars, and food service establishments in the state of Utah to suspend dine-in operations and to limit mass gatherings to no more than ten individuals for a period of two weeks; and

WHEREAS, on March 18, the Department issued its original Public Health Order, and

WHEREAS, on March 21, the UDOH issued an amended Public Health Order to replace its March 17 State Order; and

WHEREAS, on April 1, the UDOH issued an amended Public Health Order to replace its March 21 State Order; and

WHEREAS, consistent with the purposes and objectives stated in the amended UDOH State Order and by recommendation of the State, the Utah County Health Department Executive Director / Local Health Officer does hereby find that there is an imminent and proximate threat to public health from the introduction of COVID-19 into Utah County; and

WHEREAS, Section 26A-1-114 of the Utah Code empowers a local health department to "close theaters, schools, and other public places and prohibit gatherings of people when necessary to protect the public health."

THEREFORE, PURSUANT TO UTAH CODE §26A-1-114, BE IT HEREBY ORDERED BY THE UTAH COUNTY HEALTH DEPARTMENT EXECUTIVE DIRECTOR / LOCAL HEALTH OFFICER, RALPH CLEGG, ISSUES THIS AMENDED ORDER TO REPLACE THE ORDER ISSUED ON MARCH 23, AS FOLLOWS:

SECTION I

1) Self-Isolation and Self-Quarantine.

- a) "Self-isolation or self-quarantine notice" means any instruction, guideline or order from the Department, another local health authority, or UDOH regarding an individual who tests positive for COVID-19 or who is exposed to an individual who tests positive for COVID-19.
- b) The following individuals shall comply with a self-isolation or self-quarantine notice:

- i) An individual who tests positive for COVID-19;
 - ii) An individual who is exposed to an individual who tests positive for COVID-19; and
 - iii) An individual who is a member of the same household or residence of an individual who tests positive for COVID-19.
- c) An isolation or quarantine order issued pursuant to Utah Code Title 26, Chapter 6 or 6b, by the Department concerning a specific individual supersedes Subsection (1)(b).

2) **Food Service Establishments.** Each food service establishment, as defined in this Order, shall close to members, guests, patrons, customers, and the general public, except as permitted on a limited basis subject to the following requirements and restrictions:

a) "Food service establishment" means:

- i) a restaurant, self-serve buffet, salad bar, unpackaged self-serve food service, bar, tavern, nightclub, private liquor club, or saloon; or
- ii) a hotel with an on-premise or attached restaurant, self-serve buffet, salad bar, unpackaged self-serve food service, bar, tavern, nightclub, private liquor club, or saloon; or
- iii) a convenience store that sells a hot food item or a self-serve drink.

b) A food service establishment may not:

- i) provide dine-in food service, including dine-in food service provided outside the food service establishment (i.e., outdoor seating);
- ii) admit a member, guest, patron, or customer inside the food service establishment except to allow the member, guest, patron, or customer to order, pick up, or pay for food, except that this Subsection (2)(b)(ii) does not apply to a convenience store; or
- iii) if the food service establishment is a hotel, serve a complimentary meal other than a prepackaged, take-out meal that is eaten in an area other than a common area of the hotel.

c) A food service establishment may:

- i) provide drive-through food service;
- ii) provide take-out or curbside pick-up food service;
- iii) provide food delivery service; and

- iv) utilize a third-party food delivery service, including DoorDash or UberEats, except as otherwise prohibited or restricted by the Department in coordination with the UDOH.
- d) A food service establishment shall:
- i) clean each high-touch surface area of the food service establishment using any best practices issued by the Department or the UDOH;
 - ii) ensure that an employee who handles cash or a credit card during the course of business uses cleansing measures between each transaction, including using any best practices issued by the Department or the UDOH;
 - iii) prohibit an employee who handles cash or a credit card during the course of business from participating in food preparation, handling, or delivery without first using cleansing measures, including using any best practices issued by the Department or the UDOH;
 - iv) ensure that a manager or supervisor, or another employee if no manager or supervisor is available, checks each employee on a daily basis and at the beginning of the employee's shift for any symptom of illness consistent with COVID-19;
 - v) prohibit an employee who presents any symptom of illness consistent with COVID-19 from being physically present on the premises of the food service establishment; and
 - vi) restrict a gathering or line formation in or around the physical premises of the food service establishment of individuals who are not employees of the food service establishment as follows:
 - (1) if a gathering or line formation can be reasonably avoided, by prohibiting a gathering or line formation of any number of individuals; or
 - (2) if a gathering or line formation cannot be reasonably avoided, by requiring each individual in a gathering or line to maintain a physical distance of at least six feet from any other individual, unless that individual is a member of the same household or residence, or the individuals are separated by a physical barrier capable of preventing the transmission of respiratory droplets.
- e) An employee of a food service establishment may not:
- i) participate in food preparation, handling, or delivery if the employee handles cash or a credit card during the course of business unless the employee first uses cleansing measures, including using any best practices issued by the Department or the UDOH; or
 - ii) be physically present on the premises of the food service establishment if the employee presents any symptom of illness consistent with COVID-19.

iii) An employee of a food service establishment who handles cash or a credit card during the course of business shall use cleansing measures between each transaction, including using any best practices issued by the Department or the UDOH.

3) **Food Delivery Services.**

- a) An employee of a third-party food delivery service or food service establishment that provides food delivery may not:
 - i) engage in physical contact with a customer during a food delivery; or
 - ii) participate in food preparation, handling, or delivery if the employee presents any symptom of illness consistent with COVID-19.
- b) An employee of a third-party food delivery service or food service establishment that provides food delivery shall use cleansing measures between each delivery, including using any best practices issued by the Department or the UDOH.

4) **Long-term Care Facilities.** Access to long-term care facilities shall be governed by the guidance issued by the Centers for Medicare and Medicaid Services, Center for Clinical Standards and Quality.

5) **Enforcement.** The Department or the UDOH shall immediately close all business activity at any establishment that knowingly violates any provision of this Order or an Order of the UDOH.

SECTION II

In addition to the above orders, I make the following recommendations, which are not enforceable by law but are effective in reducing the spread of COVID-19. These recommendations supplement the Governor's "Stay Safe, Stay Home" Directive and any other orders issued by the state or the Department.

- 1) **Recommendations for Individuals.** The Department recommends the following for individuals:
 - a) Individuals should avoid the following businesses and services: hair, nail, and eyelash salons; barber shops; waxing and electrolysis providers; day spas and estheticians; permanent makeup; eyebrow threading; body art facilities, including tattoo and piercing parlors; massage and tanning services; swimming pools and splash pads; aquariums, zoos, aviaries, and museums; playgrounds and recreational centers; arcades, bowling alleys, and movie theaters; gyms and fitness centers; theatres and performance venues; indoor play centers; and social clubs.
 - b) Individuals should limit the number of members of the same household or residence who enter any place of public access at a given time to the fewest number practicable.

- 2) **Recommendations for Businesses.** The Department recommends the following for businesses:
- a) Businesses should review and implement best practices regarding customer payments and transactions, including:
 - i) encouraging customers to order and pay for goods or services using online or telephonic credit card transactions, or mobile payment services, including Apple Pay, Google Pay, Squarecash, or Venmo;
 - ii) limiting cash transactions; and
 - iii) requiring employees who handle cash or credit cards during the course of business to use cleansing measures between transactions, including using best practices issued by the Department or the UDOH.
 - b) Businesses should review and implement best practices regarding employee and customer health and screening, including:
 - i) requiring a manager or supervisor to screen each employee, on a daily basis and at the beginning of the employee's shift, for any symptom of illness consistent with COVID-19;
 - ii) prohibiting an employee who presents any symptom of illness consistent with COVID-19 from being physically present on the premises of the business; and
 - iii) prohibiting a member, guest, patron, or customer who presents any symptom of illness consistent with COVID-19 from being physically present on the premises of the business.
- 3) **Purpose.** The purpose of this Order is to protect individual's health and not to hold them criminally liable.
- 4) **Recommendations for All Individuals and Businesses:**
- a) We strongly recommend that all individuals and businesses do their part to fight the spread of the virus by adhering to the Utah Governor's Coronavirus Directive for Utah, "STAY SAFE, STAY HOME" issued on March 27, 2020. See addendum A.

This Order supersedes the order issued by the Department on March 23, 2020.

Duration. This Order is declared and effective immediately shall remain in effect through April 17, 2020, at 11:59 p.m., unless further extended, or until otherwise modified, amended, rescinded, or superseded.

Publication. This Order shall be on file for public inspection with the Utah County Health Department.

As the world-wide pandemic continues to evolve, we recognize the extraordinary and difficult effort of the many individuals and businesses in our communities who have implemented these recommendations.


EFFECTIVE DATE: APRIL 1, 2020

UTAH COUNTY HEALTH DEPARTMENT



Ralph Clegg
Utah County Health Department
Executive Director / Local Health Officer

APPROVED AS TO FORM



Ben Van Noy
Utah County Deputy Attorney

ADDENDUM A



Gary Richard Herbert

Governor

DIRECTIVE TO THE STATE OF UTAH
THE GOVERNOR'S CORONAVIRUS DIRECTIVE FOR UTAH
"STAY SAFE, STAY HOME"

I would like to thank all Utahns who are already doing their part to slow the spread of COVID-19. These efforts are making an impact. It is time for us to do more.

I expect all Utah residents and businesses to follow these directives. They are necessary to keep Utah residents safe during the worldwide COVID-19 pandemic. They will certainly result in disruptions to our lives, and that cannot be avoided. Those disruptions are a critical part of keeping ourselves safe. Following these directives now will avoid greater hardship later.

These directives establish minimum statewide standards. After consultation with, and consent of the State, local authorities may impose more stringent directives and orders to address the unique situations in different areas of Utah.

These directives are not to be confused with a shelter-in-place order.

The following directives are in place until 11:59 p.m. on April 13, 2020.

Directives for Individuals

The following directives for individuals are effective immediately.

All individuals

1. Stay at home as much as possible.
2. Work from home whenever possible.
3. Encourage socializing by phone and video chats.
4. Self-quarantine for 14 days after traveling or being exposed to an individual presenting symptoms of illness consistent with COVID-19.
5. Engage in appropriate social distancing, including:
 - a. maintaining a 6-foot distance at all times from other individuals when in public;
 - b. not shaking hands with other individuals;
 - c. not visiting friends or family without urgent need;
 - d. not attending any gathering of any number of people, except for members of the same household or residence.
6. Follow strict hygiene standards, including:
 - a. washing hands frequently with soap and water for at least 20 seconds;
 - b. using hand sanitizer frequently;
 - c. avoiding touching your face;
 - d. covering coughs or sneezes (e.g., into the sleeve or elbow, not hands);

- e. regularly cleaning high-touch surfaces (e.g., buttons, door handles, counters, light switches); and
 - f. following any other standards promulgated by the Centers for Disease Control and Prevention (CDC), the Utah Department of Health, and applicable local health departments.
7. Help others as reasonably appropriate to practice all the same principles.

High-Risk Individuals

“High-risk individual” means any individual who is age 60 or older, or any individual with a serious underlying medical condition.

Interactions with High-Risk Individuals

1. Limit physical interactions with high-risk individuals.
2. Limit visits to hospitals, nursing homes, and other residential care facilities.

Actions by High-Risk Individuals

1. Limit travel to only essential travel, as defined below, including to perform work if you cannot telework.
2. Limit visiting friends or family without urgent need.
3. Limit physical interactions with other high-risk individuals, except for members of your household or residence.
3. Limit recreational travel.
4. Limit attending gatherings of any number of people outside your household or residence.
5. Do not visit hospitals, nursing homes, or other residential care facilities.

Children

1. Do not attend school outside the home.
2. Do not arrange or participate in in-person playdates or similar activities.
3. Do not allow children on public playground equipment.

Food Directives

1. Do not dine out except for carryout or delivery.
2. Schools may send home food.

Time Spent Outside

1. Maintain a distance of at least 6 feet away from another person at all times while outside.
2. Exercise outside while maintaining 6-foot distance from another person and without touching common areas.
3. Do not congregate at trailheads and other outdoor spaces.
4. Do not travel to, or participate in activities at, any of the following locations:
 - a. places of public amusement or public activity;
 - b. public swimming pools; or
 - c. gyms, and fitness centers.

Travel

1. Limit travel only to essential travel.
2. Essential travel means travel to:
 - a. safely relocate by an individual whose home or residence is unsafe including individuals who have suffered or are at risk of domestic violence or for whom the safety, sanitation or essential operations of the home or residence cannot be maintained;

- b. care for a family member or friend in the same household or another household, including transporting family members or friends;
- c. transport a child according to existing parenting time schedules or other visitation schedules pertaining to a child in need of protective services;
- d. care for pets, including travel to a veterinarian;
- e. seek emergency services;
- f. obtain medications and medical services;
- g. donate blood;
- h. obtain food, including delivery or carry-out services, beverages (alcoholic and non-alcoholic), and other grocery items, gasoline, supplies required to work from home, and products needed to maintain the safety, sanitation, and essential operation of homes and residences, businesses, and personally owned vehicles, including automobiles and bicycles;
- i. perform work if you cannot telework;
- j. engage in recreational and outdoor activities;
- k. laundromats and dry cleaners; and
- l. return to a home or place of residence.

Recreational and Outdoor Activities and Parks

- 1. Remain at least six feet apart from individuals from other households while engaging in outdoor activities (e.g., walking, hiking, running, biking, driving for pleasure, hunting, or fishing).
- 2. Do not congregate at trailheads, parks, or other outdoor spaces.
- 3. Do not engage in close-contact or team sports.
- 4. Do not go to or engage in activities at a state park located outside the county in which you reside (the availability of national parks will be determined in consultation with the National Park Service and the county in which the park is located).

Exemptions to Directives for Individuals

Individuals without a home who may move between emergency shelters, drop-in centers, and encampments. Otherwise, law-abiding residents of encampments under ten people should not be subject to disbandment by state or local government; however, individuals experiencing homelessness may be abated to maintain public health as per local health departments.

Directives for For-Profit and Nonprofit Organizations

The following directives for for-profit and nonprofit organizations are effective at 12:01 a.m. on March 30, 2020.

- 1. Respond in a flexible way to varying levels of disease transmission in the community and refine business response plans as needed.
- 2. Consider how best to decrease the spread of COVID-19 and lower the impact in the workplace. This may include activities in one or more of the following areas:
 - a. reducing transmission among employees and volunteers;
 - b. maintaining healthy business operations; and
 - c. maintaining a healthy work environment.
- 3. Encourage and enable employees and volunteers to telework from home. Only employees or volunteers who perform work that cannot be done from their home should be exempted from teleworking.
- 4. Utilize video conferencing and virtual meeting services.
- 5. Implement policies for employees and volunteers who cannot telework, including:
 - a. requiring employees and volunteers who present symptoms of illness consistent with COVID-19 to stay home;
 - b. not requiring a positive COVID-19 test result or health care provider's note for employees or volunteers who stay home due to illness;

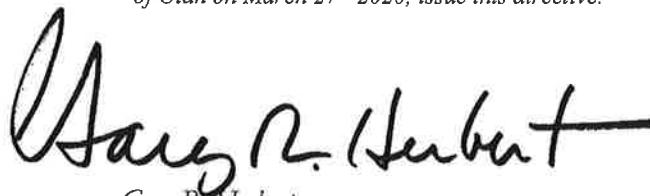
- c. enhancing social distancing by grouping employees and volunteers into cohorts of no more than ten individuals that have limited contact with other cohorts in the workplace;
 - d. enabling employees and volunteers to follow the directives for all individuals, as described above (e.g., by providing hand soap, hand sanitizer, or sanitizing wipes);
 - e. minimizing face-to-face contact with high-risk employees and volunteers, or assigning work tasks to high-risk employees and volunteers that allow them to maintain a distance of at least six feet from other workers, customers and visitors, or to telework if possible; and
 - f. implementing flexible work hours (e.g., staggered shifts).
6. Assess essential functions and the reliance that others and the community have on services or products offered.
- a. Be prepared to change business practices if needed to maintain critical operations (e.g., identify alternative suppliers, prioritize existing customers, or temporarily suspend some of your operations if needed).
 - b. Identify alternate supply chains for critical goods and services.
 - c. Coordinate with companies that provide your business with contract or temporary employees or volunteers about the importance of sick employees and volunteers staying home and encourage them to develop non-punitive leave policies.
 - d. Coordinate with business partners about your response plans. Share best practices with other businesses in your communities (especially those in your supply chain), chambers of commerce, and associations to improve community response efforts.
7. Take measures to accommodate high-risk individuals in the workplace.

Exemptions to Directives for For-Profit and Nonprofit Organizations

These directives do not apply to the following:

1. Health care professionals.
2. Law enforcement officers and first responders.
3. Faith leaders and workers, including an official, worker, or leader in a house of worship or other places of religious expression or fellowship, wherever their services may be needed. Faith leaders and workers also include a worker necessary to plan, record, and distribute online or broadcast content to community members.
4. Charitable and social services organizations, including workers supporting organizations that provide food, shelter, prescription delivery, mental health and substance abuse treatments, and other social services, as well as other necessities of life for individuals in need of such services, older adults who live alone, people with disabilities, and those who need assistance as a result of this emergency.

Now, therefore, I, Gary R. Herbert, governor of the state of Utah on March 27th 2020, issue this directive.



Gary R. Herbert
Governor