

**PUBLIC HEALTH ORDER REGARDING THE COVID-19 PANDEMIC FOR
PUEBLO COUNTY, COLORADO**

It is expected that Governor Jared Polis will delegate state control of the COVID-19 pandemic response relating to health and safety to local governments on April 16th, 2021. Pursuant to Colorado Revised Statutes Sections 25-1-506, 508, 509 and 519 the Pueblo Department of Public Health and Environment has the duty to investigate and control the causes of the epidemic or communicable diseases and conditions affecting public health; to establish, maintain and enforcement isolation and quarantine and in conjunction therewith to exercise physical control over the property and over the persons of the people within the limits of Pueblo County; and to prohibit the gatherings of people to protect the public health as the Public Health Director may find necessary for the protection of public health. The Pueblo Department of Public Health and Environment (“PDPHE”) issues this Pueblo County Public Health Order to control the spread of COVID-19 and mitigate the effects of the disease in Pueblo County.

FINDINGS

WHEREAS, on March 10, 2020, the Governor of Colorado declared a State of Emergency related to the presence of the Coronavirus, also known as COVID-19 in the state; and

WHEREAS, due to the imminent health and safety and economic threat to Pueblo County residents, on March 13, 2020, the Chair of the Pueblo Board of County Commissioners, Garrison M. Ortiz, signed a local disaster/emergency declaration pursuant to the authority of C.R.S. Section 24-33.5-709, which was continued by the Board on March 19, 2020, and again on April 14, 2020; and

WHEREAS, the Governor has issued numerous Executive Orders and the Colorado Department of Public Health and Environment (“CDPHE”) has issued numerous Public Health Orders containing directives and restrictions to reduce the spread of COVID-19; and

WHEREAS, as a tool to help control the virus the state has created a dial framework, referred to as the COVID-19 Dial, that standardizes different levels of restrictions necessary based on the extent of COVID-19 transmissions in an area; and

WHEREAS, the dial framework has six color levels to provide guidance to counties depending on the number of new cases, the percent positivity of COVID-19 in the community and the impacts on local hospitals; and

WHEREAS, the most recent version of the COVID-19 Dial, named Dial 3.0, went into effect on March 24, 2021. Dial 3.0 is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, as of April 13, 2021, the Pueblo County’s seven-day incidence is 209 cases per 100,000 people, the one-week average positivity is 4.4% and the percentage of the county that is immune either from vaccination or previous COVID-19 infection is approximately 27%; and

WHEREAS, although the rate of residents receiving vaccinations is increasing, the number of people testing positive for COVID-19 is also increasing and on April 7, 2021, the state moved Pueblo County from the less-restrictive Level Blue to the more-restrictive Level Yellow on the COVID-19 Dial; and

WHEREAS, a modified version of the state's mask-wearing requirements as described in Executive Order D 2021 079 and shall continue until May 3, 2021; and

WHEREAS, with the support of the City of Pueblo, Pueblo County, local hospitals, law enforcement other community stakeholders, the Public Health Director of the Pueblo Department of Public Health and Environment hereby adopts the State's COVID-19 Dial framework to be used and customized as needed to reduce virus transmission in Pueblo County.

ORDER

Pursuant to statutory authority granted to the Public Health Director of PDPHE and consistent with the guidance of the Governor, CDPHE and the Center for Disease Control, the following is ordered:

1. Pueblo County shall utilize the state's COVID-19 Dial 3.0 as a tool to reduce the transmission of COVID-19. Pueblo County shall be required to follow the restrictions outlined in each level of the COVID-19 Dial 3.0, subject to the following exceptions:

a) Outdoor activities involving groups of less than 500 people shall not be subject to the restrictions on the Covid-19 Dial. Any plans for outdoor events involving more than 500 people shall be submitted to the PDPHE for review and approval.

b) Businesses that are certified through the 5-Star Certification Program are not required to follow the six feet distancing requirements.

2. As stated in the COVID-19 Dial, businesses that are certified through the 5-Star Certification Program may operate at capacity restrictions that are one level higher than the current level of restrictions within the County, with the exception of Level Purple.

3. PDPHE reserves the right to further modify any level of the COVID-19 Dial and Pueblo County's placement on the dial based upon the unique circumstances and metrics of Pueblo County.

4. Metrics to be considered when determining adjustments to the COVID-19 dial and Pueblo County's placement on the dial include, but are not limited to, the percentage of vaccinated residents age 16 or older in Pueblo County and the capacity of local hospitals (Parkview Medical Center and St. Mary-Corwin Medical Center) to serve patients.

5. Unless otherwise ordered by Governor Polis, as of April 16, 2021, Pueblo County shall remain on Level Yellow of the COVID-19 Dial, subject to the exceptions referenced in the above Section 1. The requirements regarding Level Yellow and all other levels of the COVID-19 Dial are attached hereto and incorporated herein as Exhibit A.

6. Unless otherwise ordered by Governor Polis, this Order will become effective at 12:00 a.m. on April 16, 2021, and end at 12:00 a.m. on May 15, 2021, and shall apply to the entirety of Pueblo County, including the City of Pueblo and all towns within the County.

7. Anyone failing to comply with this Order shall be subject to the penalties contained in Colorado Revised Statutes Sections 25-1-516 and 18-1.3-501 including a fine of up to five thousand dollars (\$5,000) and imprisonment in jail for up to eighteen (18) months. Violators may also be subject to civil penalties and remedies such as suspension or revocation of a business license.

8. This Order is intended to be and shall be read and construed in in harmony with and in addition to all federal, state and local laws and orders related to COVID-19. To the extent any federal, state or local orders or laws are more restrictive than what is set forth herein, such orders or laws control.

9. Issuance of this Order is necessary for the preservation of public health, safety and welfare.

10. If any part of this Order is deemed invalid, the remainder of the Order shall not be affected and shall continue in full force and effect.

ORDERED AND SIGNED, as the official Order of the Pueblo Department of Public Health and Environment on April 13, 2021.



Randy Evetts, MPA
Public Health Director
Pueblo Department of Public Health and Environment

APPROVED BY BOARD OF HEALTH FOR THE PUEBLO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT



Donald Moore, President
Board of Health

April 13, 2021

Date