

May 12, 2020

**SUMMARY OF KEY CHANGES
IN THE NINTH AMENDED PUBLIC HEALTH ORDER**

The changes in the current Public Health Order include:

- This Order continues a staged relaxation of certain requirements on May 12, 2020, and others on May 15 and again on May 27, 2020, similar to the process implemented statewide by the Governor and the State of Colorado, allowing certain types of businesses to re-open on a limited basis and activities to occur so long as they follow the Order's provisions to limit the spread of COVID-19.
 - However, prior to these dates, the restrictions in the Eighth Amended Standing Public Health Order (issued April 21, 2020), continue to apply.
 - This Order is in many cases stricter than the orders being issued by the Governor and the State. Therefore, persons within Gunnison County should not assume that compliance with State orders means compliance with this Order.
 - Businesses permitted to open under this Order will still have to follow the Order's requirements for limiting COVID-19 exposure, such as social distancing and cleaning. In addition, the Public Health Director will be issuing or approving industry-specific guidelines for different types of businesses (e.g., retail stores, hair salons).
 - Businesses are allowed to develop and follow their own guidelines to protect their employees and customers, but they must be stricter than those issued or approved by the Public.
 - Businesses should remember that merely following this Order does not necessarily give them a "safe harbor"; businesses are under an independent obligation to exercise reasonable care and follow all state, federal and local laws and professional and industry standards of care to protect the safety and well-being of their customers and employees.

- Many of the previous requirements – such as certain of those regarding at-risk persons and quarantines – are no longer mandatory but recommended.
- This Order lasts until June 1, 2020.
- Please remember that the COVID-19 pandemic is ongoing, and the County may be forced to return to some of the previous restrictions, or impose new ones, as this public health emergency continues.
- All persons who are not residents of Gunnison County are reminded that state or local governments may still prohibit them from travelling to Gunnison County; non-residents should confirm with their respective state or local governments whether they are allowed to leave their homes before traveling to Gunnison County.
 - For example, although this Order will allow Coloradans from other counties to visit Gunnison County to recreate starting on May 27, they will not be allowed to do so if the Colorado Governor continues to impose restrictions on recreational travel.
- Beginning today with the issuance of the Order:
 - Hotels, motels, campgrounds, RV parks and other lodging may begin to hire staff, perform maintenance and cleaning, and otherwise commence operations to begin accepting guests on a limited basis on May 15.
 - The definition of “At-Risk Persons” has changed from persons who are 60 years old to persons who are 65 years old, consistent with recent guidance issued by the State and the CDC.
 - At-Risk Persons are no longer required to stay home from work or to limit their shopping to essential businesses or services. However, at-risk people are still urged to limit their activities and stay at home whenever possible. At-Risk Persons must still stay away from places officially declared as outbreaks by the Public Health Director, CDPHE, the CDC or other government agencies.
 - As soon as they are allowed to do so by the Governor’s and CDPHE’s orders, or if Gunnison County applies for and receives a variance from the State, restaurants, bars, nightclubs, taverns, taprooms, and distilleries may open on a limited and restricted basis as set forth in the Order (e.g., 10 persons or less, masks for employees who interact with customers, participation in contact tracing, cleaning of surfaces, following local industry-specific plans and guidelines).

- Places of worship (e.g., churches, synagogues, temples) may allow up to 25 persons to attend services, so long as the requirements of the Order are otherwise followed (e.g., masks for clergy who interact with parishioners). Places of worship are encouraged to conduct remote services whenever possible.
- Spas, tanning booths, oxygen bars, non-medical massage settings, tattoo artists indoor cycling studios, dance studios, concert or performance halls or spaces, martial arts facilities and classes, gyms, weight rooms, workout centers, and group or team outdoor activities (e.g., kids baseball and adult softball leagues) may open or hold events or games if:
 - they are limited to 10 people or less;
 - receive an exemption from the Public Health Director; and
 - otherwise follow the Order (e.g., 10 persons or less, masks for employees who interact with customers, participation in contact tracing, cleaning of surfaces)
- Personal trainers may conduct sessions with clients, so long as:
 - the trainer/client ratio is 1:1 (one trainer for every client), unless all clients live in the same household;
 - clients are limited to persons allowed to be in Gunnison County (e.g., residents, non-resident homeowners);
 - trainers receive an exemption from the Public Health Director; and
 - trainers and their facilities otherwise follow the Order (e.g., masks, cleaning of surfaces)
- Public transportation may operate with more than 10 people per vehicle if granted an exemption by the Public Health Director.
- Non-resident homeowners who spend less than 7 days in the County are permitted to complete their remaining days of self-isolation at their primary residence, even if located outside of Gunnison County, so long as they engage in all reasonable and necessary efforts to avoid contact with other people during their travel between Gunnison County and their residence.
- Building and construction contractors who previously received an exemption no longer need to apply for a new one merely because their work crew or subcontractors include non-residents. (Note that other provisions regarding exemptions still apply.).

- Beginning May 15, 2020:
 - Backcountry and outdoor guide services (e.g., fly-fishing guides, mountain bike guides, climbing guides, horsepackers) may begin conducting classes or trips with students or clients, so long as:
 - Guides follow industry-specific guidelines issued by professional organizations in their field (e.g., American Mountain Guides Association, Association for Experiential Education, Professional Mountain Bike Instructors Association), or any industry-specific guidelines issued or approved by the Public Health Director, whichever is stricter;
 - Students or clients are limited to people allowed to be in Gunnison County (e.g., residents, non-resident homeowners); and
 - Guides otherwise follow the provisions of this Order (e.g., 10 persons or less, social distancing, use of masks).
 - Hotels, motels, campgrounds, RV parks, short term rentals, lodges, retreats, and bed and breakfast facilities may begin accepting guests, so long as:
 - They limit the number of occupied rooms to 25% or less of their capacity;
 - They follow local industry group plans approved by the Public Health Director; and
 - They otherwise follow the Order (e.g., masks for employees who interact with customers, participation in contact tracing, cleaning of surfaces).
 - Non-resident homeowners are no longer required to isolate and self-quarantine upon their arrival in Gunnison County (but are still encouraged to do so) unless they test positive for COVID-19.
 - Non-resident homeowners no longer have to provide a written statement to the Public Health Director.
 - People who leave Gunnison County for more than 24 hours are no longer required to self-isolate and quarantine, but are strongly encouraged to do so (persons who test positive for COVID-19 must still self-isolate and quarantine).

- Beginning May 27, 2020:
 - All non-resident visitors are permitted to travel to Gunnison County, so long as their respective state and local governments allow them to visit here, and so long as they otherwise follow the Order.
 - Spas, tanning booths, oxygen bars, non-medical massage settings, tattoo artists indoor cycling studios, dance studios, concert or performance halls or spaces, martial arts facilities and classes, gyms, weight rooms, workout centers, and group or team outdoor activities (e.g., kids baseball and adult softball leagues) no longer require an exemption from the Public Health Director so long as they otherwise follow the Order.
 - Personal trainers may provide services to all non-residents, including visitors.
 - Guides may provide classes and trips to all non-residents, including visitors.
 - Hotels, motels, campgrounds, RV parks, short term rentals, lodges, retreats, and bed and breakfast facilities may operate to the fullest extent permitted by the Governor's and CDPHE's Orders (e.g., hotels may operate at 100% occupancy of permitted by the State's orders), so long as:
 - They follow local industry group plans approved by the Public Health Director; and
 - They otherwise follow the Order (e.g., masks for employees who interact with customers, participation in contact tracing, cleaning of surfaces).
- The County continues to monitor the situation, and may be required to toughen or impose new restrictions in the future.

The above is a summary of key provisions only and is not intended to provide legal guidance; for additional information please review the Order or contact the Gunnison County Health Hotline at 970.641.7660.