Davis COUNTY HEALTH DEPARTMENT

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PUBLIC HEALTH ORDER

Davis County Board of Health
Davis County, Utah

WHEREAS, on January 21, 2020, the Utah Department of Health ("UDOH") activated its Department Operations Center in response to the evolving 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, and including within the United States; and

WHEREAS, on March 6, 2020, Utah Governor Gary R. Herbert issued an Executive Order declaring a state of emergency due to the COVID-19 outbreak; and

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

WHEREAS, to combat the spread of COVID-19, Utah and various counties, have declared local public health emergencies; and

WHEREAS, the Davis County Health Department Director finds the above facts raise the likelihood of widespread community transmission occurring among the general public and the need for Davis 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 Davis County; 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, UDOH, in coordination with the Governor's Office and Utah COVID-19 Community Task Force, issued an 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 Davis County Health Department issued a Public Health Order through April 1; and

WHEREAS, on March 21, UDOH, in coordination with the Governor's Office and Utah COVID-19 Community Task Force, issued a revised Order to avoid group gatherings; and

WHEREAS, on March 23, 2020, Governor Gary Herbert, State Superintendent Syd Dickson, and Acting Commissioner of Technical Education Jared Haines extended the dismissal of all Utah K-12 public schools and technical colleges through Friday, May 1; and

WHEREAS, on March 27, Governor Gary Herbert issued the Governor's Coronavirus Directive for Utah, "Stay Safe, Stay Home"; and

WHEREAS, the Davis County Health Department Director does hereby find that there is an imminent and proximate threat to public health from the introduction of COVID-19 into Davis County; and

WHEREAS, Section 26A-1-114 of the Utah Code empowers a local health department to "close theatres, schools, and other public places and prohibit gatherings of people when necessary to protect the public health." It further empowers the local health department to "exercise physical control over property and over individuals as the local health department finds necessary for the protection of public health, and to do so through the issuance of Notices and Orders."

THEREFORE, PURSUANT TO UTAH CODE §26A-1-114, BE IT HEREBY ORDERED BY THE DAVIS COUNTY HEALTH DEPARTMENT DIRECTOR BRIAN HATCH, AS FOLLOWS:

Section 1. General Prohibitions. Effective immediately, the following prohibitions shall apply throughout Davis County:

- All public and private gatherings of any number of people that are not part of a single household or living unit are prohibited, except for the limited purposes permitted by this Order. Nothing in this Order shall prohibit the gathering of members of a single household or living unit.

Section 2. Requirements for All Individuals. Effective immediately.

Stay Safe, Stay Home

- All individuals in Davis County are directed to "Stay Safe, Stay Home," except to engage in essential activities.
- Work from home whenever possible. When at work adhere to social distancing and never go to work sick.
- Postpone nonessential personal services. (e.g., hair, nails, tanning, leisure shopping, etc.)
- Do not go to public places if you are sick.
- Individuals should rely on telehealth options whenever feasible.

Follow Strict Hygiene Standards

- Wash hands frequently with soap and water for at least 20 seconds.
- Use hand sanitizer frequently when hand washing is not an option.
- Avoid touching your face.
- Cover coughs or sneezes (e.g., into a tissue or inside elbow, not hands).
- Regularly clean highly-touched surfaces.

Essential Activities

- Essential activities or tasks are those deemed necessary for the health, safety, and well-being of an individual, their family, household members, or pets.
- Leaving home for essential activities is permitted if social distancing and hygiene standards are followed.
- These activities may include obtaining medical supplies or medication, seeking emergency services, or visiting a healthcare or behavioral healthcare professional.

Social Distancing

- Maintain a six foot distance at all times from other individuals when in public.
- Do not visit friends or family without urgent need.
- Limit physical interactions with high risk individuals (those age 60 or older or any individual with a serious underlying medical condition), including visiting hospitals, nursing homes, and other residential care facilities.
- All high risk individuals should avoid contact with other individuals.
- Social distancing guidelines must be followed while being in outdoor spaces.

Section 3. **Closures.** Effective immediately.

The following facilities shall be closed based on their inability to observe the social distancing necessary to slow the spread of COVID-19:

Places of public amusement and activity. Whether indoors or outdoors, including but not limited to amusement parks, carnivals, water parks, licensed public and private swimming pools, splash pads, aquariums, zoos, aviaries, museums, arcades, fairs, children's play centers, bowling alleys, movie and other theaters, concert and music hall or venues, recreation centers, social clubs, gyms, and fitness centers.

Salons and spas. This includes, but is not limited to, hair salons, barber shops, nail salons, day spas, electrolysis providers, waxing salons, eyebrow threading shops, tattoo parlors, body art establishments, massage establishments, and tanning facilities.

Section 4. **Requirements for Parks & Recreation.** Effective immediately, all park facilities shall comply with the following regulations:

- All playgrounds are closed until further notice.
- Individuals shall not engage in close contact or team sports, including pickup games.
- Individuals shall not share equipment with others.
- Sports fields and courts may be open but should only be used individually or only by members of the same household.
- Recreational areas, including courts, dog parks, parks, trailheads, trails, and sports fields shall only be used while maintaining six feet of space between people.
- Individuals shall not congregate at trailheads and other outdoor spaces.

Section 5. **Business Requirements for All Restaurants, Bars, and Food Service Establishments.** Enacted on March 18 and remaining in effect, all food service, restaurants, self-serve buffets, salad bars, unpackaged self-serve food services, bars, taverns, nightclubs, private liquor clubs, and saloons in Davis County shall remain closed to members, guests, patrons, customers, and the general public. In addition to the above business requirements, food service may operate on a limited basis subject to the following operational restrictions and prohibitions:

- Management must ensure on a daily basis and at the beginning of shift that no employee who presents symptoms of illness (e.g., cough, fever, shortness of breath) will be permitted to work.
- Prohibition of all dine-in food service, whether inside or outside the establishment, and prohibition of admitting members, guests, patrons, and customers inside the establishment except to order, pick up, or pay for food for take-out only.

- Curbside take-out, drive-thru food service, or pickup service, is permitted or delivery services are permitted. Cash payments are strongly discouraged. Staff who accept payment shall use cleansing measures between each transaction, including using any best practices issued by the State Department of Health or the Davis County Health Department. Where possible, online and telephonic credit card transactions are encouraged. Staff who handle cash or credit card payments shall not be involved in the preparation, handling, or delivery of food.
- Hotel restaurants may not 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. Food items may only be delivered as room service. Food may be delivered to the door or curbside services as described above.
- Third-party food services are required to observe "no contact delivery" which means they shall avoid physical contact with any customer. All employees of such services must not engage in any delivery services if they present any symptoms of illness.
- This Order does not restrict convenience stores from selling a hot food item or a self-serve drink. A convenience store that chooses to sell a hot food item or a self-serve drink shall cleanse high-touch surface areas using any best practices issued by the Davis County Health Department.

Due to the circumstances and the continuing evolving situation with the spread of COVID-19 virus, violations of these operational restrictions shall result in the immediate closure of individual businesses and establishments to all business activity.

Section 6. Requirements for All Other Businesses. Effective immediately, all establishments shall comply with the following requirements:

Protecting Employees

- Employers should limit the number of employees reporting to work to only those that are deemed essential to function.
- Employers should encourage and enable employees and volunteers to work or meet remotely where possible, through online methods.
- Employers shall exclude all employees and patrons who are ill (e.g., cough, fever, shortness of breath) from the workplace.

Social Distancing

- Limit employee to employee contact in the workplace. Essential employees should avoid gathering in groups and should adhere to six foot social distancing rules.
- Implement social distancing (six feet) measures in all areas of the workplace, especially communal areas. Eliminate areas of public gathering. Minimize customer interactions and time spent in your facility. Consider appointments only, closed lobbies, avoiding lines, implementing systems to help ensure the public maintains social distancing while accessing essential services including checkout lines.
- Employers shall monitor for groups gathering and intervene quickly to disperse groups.

Cleaning & Sanitation

- Employees should be encouraged to engage in regular and frequent hand washing, sanitizing, and disinfecting of high-touched surfaces.
- Employers should regularly clean and sanitize facilities.
- Employers should review processes so that employees and customers are not using and handling common tools.

Section 7. Exceptions. In some situations, an individual or business may be unable to comply with these recommendations, due to the essential services that they provide or the nature of their operations, and are therefore exempt from enforcement.

Section 8. Duration. This Order shall remain in effect through May 1, 2020, unless adjusted or further extended.

Section 9. Publication. This Order shall be on file for public inspection with the Davis County Health Department.

Section 10. Enforcement. The purpose of this Order is to protect individuals' health, not to hold them criminally liable. Residents and businesses are urged to comply with this Order, and every effort will be made to educate people to achieve compliance. The Davis County Health Department will continue to respond to issues and reports of violation.

State law requires penalties for violating a local public health order. While penalties outlined by state code classify the offense as a misdemeanor (class B for the initial offense, class A for repeat offenses), Davis County has asked local municipalities to enforce the public health order initially via warnings rather than citations. Repeat or egregious offenders, however, may be cited and charged.

This Public Health Order becomes effective as soon as possible, but not later than 11:59 p.m., on April 1.

EFFECTIVE DATE: April 1, 2020

DAVIS COUNTY HEALTH DEPARTMENT

Brian Hatch
Davis County Health Officer

DAVIS COUNTY COMMISSION

Lorene M. Kamalu
Chair, Board of Davis County Commissioners

APPROVED AS TO FORM:

Neal C. Geddes
Davis County Attorney's Office
Chief Civil Deputy