BOARD OF HEALTH
IN AND FOR SOUTHEAST UTAH HEALTH DEPARTMENT
(CARBON COUNTY, EMERY COUNTY, GRAND COUNTY), STATE OF UTAH
AND
GRAND COUNTY COUNCIL
IN AND FOR GRAND COUNTY, UTAH

In the matter of:
COVID-19 Pandemic within Utah

JOINT PUBLIC
HEALTH ORDER

Order No.: SEUHD 2020-09GC
Date: November 17, 2020
Legal Authority: Utah Code §26A-1-114
Utah Code §53-2A-209

Utah Code § 26A-1-106(2) provides that “[r]egulations or standards relating to public health or environmental health services adopted or established by a local health department may not be less restrictive than [State Department of Health orders].”

COVID-19 is a contagion that spreads easily from person to person and can cause serious illness or death.

The Center for Disease Control (“CDC”) has called on Americans to wear face coverings, with the CDC Director stating that “cloth face coverings are one of the most powerful weapons we have to slow and stop the spread of the virus - particularly when used universally within a community setting.”

Published scientific data relied upon by the State of Utah has shown that the probability of transmission during exposure between a person with COVID-19 to an uninfected person is 17.4% if face coverings are not worn and 3.1% if face coverings are worn.

The Health Officer for Southeast Utah recognizes the need for the public to continue to work cooperatively and proactively to slow the spread of COVID-19, and prevent and control the rapidly changing consequences of COVID-19. The Health Officer and the Grand County Council find that this need is especially present in Grand County.
The Health Officer finds COVID-19 poses a continuing and immediate threat to the public health of Grand County residents and visitors.

This is a critical moment in Grand County and the State of Utah, and all County residents, businesses, community organizations, visitors, and government must do their respective parts to slow, prevent, and control the transmission of COVID-19, enhance and improve the ability of our healthcare system to meet this mounting challenge, restore consumer confidence, and reduce the economic impact of this global healthcare crisis.

THEREFORE, pursuant to the authority granted to Bradon C. Bradford, MSPH, MPA, REHS, Southeast Utah Health Officer by Utah Code §26A-1-114(2)(a) and to the Grand County Commission under Utah Code §53-2A-209, they hereby jointly ORDER the following for GRAND COUNTY, UTAH:

Section 1. Purpose. The intent of this Public Health Order is to ensure a coordinated implementation of practices which slow, prevent, and control the transmission of COVID-19 by providing Grand County residents, businesses, community organizations, visitors, and government with access to the information needed to implement those practices.

Section 2. Guidelines. All Grand County residents, businesses, visitors, and community organizations shall comply with the guidelines for Grand County set forth in the Utah Transmission Index Guidelines issued on October 14, 2020 ("Guidelines") and any subsequent modification to the Guidelines and assigned risk phase (High, Moderate, Low) released by the Utah Department of Health and assigned by the Governor during the effective period of this Public Health Order. The Guidelines can be found at: https://coronavirus.utah.gov/.

Section 3. Definitions.

a. "COVID-19" means the Novel Coronavirus Disease 2019 caused by Severe Acute Respiratory Syndrome Coronavirus 2, also known as SARS-CoV-2;

b. "Face Mask" means a mask that completely covers the nose and mouth, is made of synthetic or natural fabrics, and fits snugly against the nose and sides of the face and under the chin. Face Mask does not include a mask with holes, openings, lace or mesh, or similar weblet construction or material.

c. "Face Shield" means a shield that covers the entire face, including the eyes, nostrils, and mouth, which is made of clear plastic or similar nonpermeable transparent material.

d. "Household" means an individual or groups of individuals who reside in the same residence.

e. "Person" means the same as that defined in Utah Statute § 68-3-12.5(18).

f. "Special Event" means the same as that defined in Grand County General Ordinances § 8.16.030 (Ord. 597, 2019).

Section 4. Restrictions. The following restrictions apply countywide:
a. **Individuals.** An individual:
   i. shall wear a face mask while within six feet (6’) of any individual from a separate household; and
   ii. may not eat or drink within six feet (6’) of an individual from a separate household while at a bar or restaurant or special event.

b. **Businesses.** Each business, including a bar or restaurant, whether or not acting as an event host, shall:
   i. require each employee and contractor to wear a face mask while at work;
   ii. require each patron that enters the premises of the business to wear a face mask, including in an area of ingress and egress;
   iii. require at least six feet (6’) of physical distancing, including in an area of ingress and egress, between each:
       1. separate household group at a business other than a bar or restaurant, or
       2. separate party at a bar or restaurant; and
   iv. post conspicuous signage at each entrance/exit to the business that:
       1. lists COVID-19 symptoms;
       2. asks employees and customers experiencing COVID-19 symptoms to stay home; and
       3. provides notice that face masks are required.

c. **Special Events.** An organizer or permit holder for a special event shall:
   i. require each individual attending the special event to wear a face mask, including in an area of ingress and egress, indoors and outdoors, except as excepted or exempted in Sections 5 and 6 below;
   ii. require at least six feet (6’) of physical distance between individuals from separate households who attend the special event, including in an area of ingress or egress;
   iii. post conspicuous signage at each main event staging areas, ingress and egress, and on the event’s website that:
       1. lists COVID-19 symptoms;
       2. asks employees and customers experiencing COVID-19 symptoms to stay home; and
       3. provides notice that face masks are required;
   iv. include a notification that face masks and social distancing are required in all event advertising and promotional information, including correspondence with participants;
   v. re. alcoholic beverages:
       1. restrict the sale of all liquor, wine, and beer when Grand County is in the High Risk level (or equivalent, as determined by the Utah Department of Health);
       2. restrict the sale of liquor when Grand County is in the Moderate Risk level (or equivalent, as determined by the Utah Department of Health);
   vi. re. size of events:
       1. cancel all indoor events when Grand County is in the High Risk level (or equivalent, as determined by the Utah Department of Health);
       2. limit total event participants and registrations as follows:
           a. 0 participants per day for events located inside, and 250 participants per day for events located outside, when Grand County
is in the High Risk level (or equivalent, as determined by the Utah Department of Health); and
b. 500 participants per day for events located inside, or 1000 participants per day for events located outside, when Grand County is in the Moderate Risk level (or equivalent, as determined by the Utah Department of Health).

Section 5. Face Mask Exceptions. Notwithstanding any other provision of this Order, an individual who is otherwise required by this Order to wear a face mask may remove the face mask in the following situations:

a. while the sole occupant of a room, cubicle, or similar enclosure;

b. while communicating with an individual who is deaf or hard of hearing if communication cannot be achieved through other means and the speaker wears a face shield or is located behind a plexiglass barrier;

c. while obtaining or providing a service that requires the temporary removal of the face mask, such as dental service or speech therapy services;

d. while sleeping;

e. while exercising or recreating while;
   i. outdoors;
   ii. indoors if at least six feet (6’) of distance is maintained from any individual from a separate household;
   iii. swimming or on duty as a lifeguard; or
   iv. actively performing as an athlete at an organized and authorized athletic event;

f. while engaging in work where wearing a face mask would create a risk to the individual, as determined by government safety guidelines; d

g. when necessary to confirm the individual’s identity and if removal is temporary; and

h. While giving a presentation or performance for an audience, if at least six feet (6’) of distance is maintained between the speaker and the nearest individual from a separate household.

Section 6. Face Mask Exemptions. The following individuals are exempt from the Face Mask Requires in Section 4:

a. a child who is younger than three (3) years old;
b. an individual who is unconscious, incapacitated, or otherwise unable to remove the face mask without assistance;

c. an individual with a medical condition, mental health condition, or intellectual or developmental disability that prevents the individual from safely wearing a face mask; provided, however, that businesses may deny entry or service to a patron who qualifies for an exemption under this Section 6(c) or may request proof of medical condition, mental health condition, or intellectual or developmental disability prior to permitting entry or service; and

d. an individual who is incarcerated.

Section 7. This Joint Public Health Order takes immediate effect and supersedes and replaces Joint Public Health Order 2020-08GC. This Public Health Order will expire at 11:59 p.m. on March 2, 2021, unless extended, rescinded, superseded, or amended in writing, and shall be re-evaluated as warranted.

BY ORDER OF THE SOUTHEAST UTAH HEALTH DEPARTMENT HEALTH OFFICER AND THE GRAND COUNTY COMMISSION

Braden C. Bradford, MSPH, MPA, REHS - SEUHD Health Officer

ATTEST:

Mary McGann - Grand County Commission Chair
Quinn Hall, Grand County Clerk/Auditor

APPROVED AS TO FORM:

Christian Bryner, Attorney for SEUHD
Christina Sloan, Attorney for Grand County