
COUNTY COUNCIL, COUNTY MANAGER, AND BOARD OF HEALTH
IN AND FOR SUMMIT COUNTY, STATE OF UTAH

In the matter of:

COVID-19 Pandemic within Summit County

**JOINT PUBLIC HEALTH ORDER
(Stabilization Phase)**

Order No.: 2020-07

Date: May 21, 2020

Legal Authority: Utah Code §26A-1-114
Utah Code §17-50-
302(1)(a)(ii)
Summit County Code
§4-5-6(A)

The Summit County Health Officer (“**SCHO**”) issued his Public Health Order 2020-01 on March 15, 2020.

The SCHO issued his Public Health Order 2020-02 on March 23, 2020.

The SCHO, Summit County Council (“**Council**”), and the Summit County Manager (“**Manager**”) issued their Joint Public Health Order 2020-03 (the “**Stay-at-Home Order**”) on March 25, 2020.

The SCHO issued his Amended Public Health Order 2020-04 on March 31, 2020, which extended Public Health Order 2020-01 and 2020-02 to be co-terminus with the Stay-at-Home Order.

The Governor of the State of Utah has issued his “Utah Leads Together (Version 3)” and “Phased Guidelines for the General Public and Businesses to Maximize Community Health and Economic Re-activation” (together, the “**Utah Leads Together Plan**”).

The Utah Leads Together Plan lays out three-phases to the COVID-19 (coronavirus) pandemic response: “**Urgent Phase**,” “**Stabilization Phase**,” and “**Recovery Phase**.” The Urgent Phase directs resources and regulations aimed at stopping the spread of the virus and ensures that our health care system does not become overwhelmed. The Stabilization Phase transitions into an effort to mitigate the spread of the virus, while simultaneously re-activating the economy step-by-step. To assist in this effort, an operational dashboard has been provided,

which establishes a color-coded health guidance system. This system consists of four levels: High Risk (red), Moderate Risk (orange), Low Risk (yellow), and New Normal (green).

Summit County (“**County**”) issued its Joint Public Health Order 2020-05 with an effective date of May 1, 2020, which transitioned the risk level in the County from High Risk (red) to Moderate Risk (orange) with community specific protocols for businesses and industries.

On May 14, 2020, the Governor issued a new executive order which reduced the majority of the state to Low Risk (yellow), but specifically did not change the Moderate Risk (orange) in Summit County.

The County issued its Joint Public Health Order 2020-06 with an effective date of May 16, 2020, which set forth that the County remain at Moderate Risk (orange) with community specific protocols for food service, lodging and accommodations, indoor recreational facilities, and arts, special events, and entertainment.

In issuing this Joint Public Health Order 2020-07 (this “**Order**”), the County transitions from Moderate Risk (orange) to Low Risk (yellow), and adopts the Utah Leads Together Plan, inclusive of its updated and amended Phased Guidelines for the General Public and Businesses to Maximize Community Health and Economic Re-activation (the “**Phased Health Guidelines**”).

THEREFORE, PURSUANT TO UTAH CODE §26A-1-114, UTAH CODE §17-50-302, SUMMIT COUNTY CODE §5-4-6, AND SUMMIT COUNTY CODE OF HEALTH §1-1-10(b), BE IT HEREBY ORDERED BY RICHARD C. BULLOUGH, PHD, SUMMIT COUNTY HEALTH OFFICER, THE SUMMIT COUNTY COUNCIL, AND THOMAS C. FISHER, SUMMIT COUNTY MANAGER, IN CONSULTATION WITH THE SUMMIT COUNTY BOARD OF HEALTH, AS FOLLOWS:

Section 1. Purpose. The intent of this Order is to transition from risk level Orange to Yellow in a manner so as to allow a phased normalization of business and commerce, while at the same time continuing to require social distancing, as defined in the Phased Health Guidelines, so as to prevent the spread of the COVID-19 coronavirus. All provisions of this Order shall be interpreted to effectuate this intent.

Section 2. Low Risk - Yellow. Joint Public Health Order 2020-06 is hereby rescinded and replaced in its entirety by this Order. The County transitions to the Stabilization Phase, from Moderate Risk (orange) to Low Risk (yellow).

Section 3. Adoption of Phased Health Guidelines. The County hereby adopts in its entirety the Phased Health Guidelines for Low Risk (yellow). All individuals currently living within or visiting Summit County, Utah, and all businesses operating within Summit County,

Utah, are ordered to comply with the protocols set forth in the Phased Health Guidelines for Low Risk (yellow) in the following categories:

- General Public (Overview of Guidelines, Social Guidelines, Use of Face Coverings, Family Gatherings, Church Services, Children, Outdoor Recreation, Pools, Water Parks, and Spas).
- Public and Private Gatherings.¹
- High-Risk Individuals.
- General Employer (Overview of Guidelines, General Employer Guidelines, including Best Practices for Employers, Cleaning & Hygiene Guidelines for Employers, and Employers Monitoring Systems).
- Business Specific Guidelines.
 - Restaurants, Food Service Establishments, Bars, Food Trucks, and C-Stores (including the Appendix, “Guidelines for Dine-in Restaurant Open in Orange & Yellow”).
 - Retail (including Grocery Stores, Pharmacies, and C-Stores).
 - Hospitality, Tourism and Accommodations.
 - Events, Cultural Arts and Entertainment (including sporting events, concerts, rodeos, convention centers, theatres, museums, zoos, aquariums, aviaries, botanical gardens, libraries, and indoor arenas).
 - Personal Services (including barbers, cosmetologists, body artists, nail technicians, tanning, etc.).
 - Home Repair.
 - Gyms and Fitness Centers (including indoor recreation centers, yoga studios, dance, tumbling, indoor soccer, etc.).
 - Construction, General Contractors and Manufacturing.
 - Child Day Care.

¹ A “formal organization” is defined as an occupation, profession, organization, association, charity, corporation, partnership, church, utility, or business which is registered with, holds an exemption from, or is licensed by the Utah Department of Commerce, the Utah State Bar, or the United States Internal Revenue Service.

- Hospital Settings and Ambulatory Surgical Facilities.
- Non-hospital Settings, including Dentistry.

To the extent that the Phased Health Guidelines make compliance a recommendation or directive, the County hereby makes such recommendation or directive mandatory and enforceable under law.

Section 4. **Phased Guidelines Attestation Checklist.** With respect to private and public gatherings associated with Events, Cultural Arts and Entertainment (including sporting events, concerts, rodeos, convention centers, theatres, museums, zoos, aquariums, aviaries, botanical gardens, libraries, and indoor arenas), a formal organization may submit on a form provided by the Summit County Health Department an attestation of compliance with the Phased Health Guidelines for Low Risk (yellow) (the “**Phased Guidelines Attestation Checklist**”). The Phased Guidelines Attestation Checklist may be posted at the site of the private or public gathering.

Section 5. **Effective Date; Duration.** This Order shall become effective at 12:01 a.m. on May 22, 2020, and will continue to be in effect until 11:59 p.m. on September 1, 2020, or until it is extended, rescinded, superseded, or amended in writing. This Order shall be re-evaluated in fourteen (14) calendar days. Should scientific data indicate that the spread of COVID-19 in Summit County has substantially increased, the County may reinstitute the Moderate Risk (orange) or High Risk (red).

Section 6. **Publication.** This Order shall be on file for public inspection with the Summit County Clerk and the Summit County Health Department.


Section 7. **Enforcement.** The County Sheriff and Chiefs of Police within the County are directed to ensure compliance with and enforce this Order. Notwithstanding such, the purpose of this Order is to protect individuals’ health and not to hold them criminally liable. Discretion will be used in the citing and prosecution of violations of this Order.

Section 8. **Appeal.** This Order may be appealed to the Summit County Board of Health within ten (10) calendar days in accordance with Summit County Code of Health §1-1-9.

Signatures to follow on next page

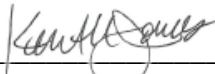
ORDERED, APPROVED, ADOPTED, and PASSED, and published, this 21st day of May, 2020.

SUMMIT COUNTY COUNCIL



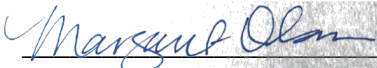
Doug Clyde, Chair

Attest:



Kent Jones
Summit County Clerk


Approved as to form:



Margaret H. Olson
Summit County Attorney


<u>VOTING OF COUNTY COUNCIL:</u>	
Councilmember Carson	<u>Aye</u>
Councilmember Robinson	<u>Aye</u>
Councilmember Clyde	<u>Aye</u>
Councilmember Armstrong	<u>Aye</u>
Councilmember Wright	<u>Aye</u>

BY ORDER OF THE SUMMIT COUNTY MANAGER



Thomas C. Fisher
Summit County Manager

BY ORDER OF THE SUMMIT COUNTY HEALTH OFFICER



Richard C. Bullough, PhD
County Health Officer