



PUBLIC HEALTH ORDER

Utah County, Utah

WHEREAS, on January 21, 2020, the Utah Department of Health (“UDOH”) activated its Department of Operations Center in response to the evolving novel Coronavirus disease 2019 (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, including within the United States; and

WHEREAS, as of March 23, 2020, the CDC indicates that there are over 33,404 confirmed cases of COVID-19 in the United States and the UDOH reports 181 cases in Utah as of March 22, 2020, with confirmed cases in Utah County; and

WHEREAS, the 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, including concurrently with this declaration, Utah County, have declared local public health emergencies; and

WHEREAS, the Utah County Health Department (“Department”) Executive Director / Local Health Officer finds the above facts raise the likelihood of widespread community transmission occurring among the general public and the need for Utah 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 Utah County; and

Board of Health

Jeff Acerson, Chair

Mark Donaldson, M.D.
Commissioner Bill Lee

Erin Faraclas
Superintendent Sam Jarman

Dianne C. Carr, RD
Ryan Schooley

Gaye L Ray, RN
Ann Anderson

WHEREAS, on March 6, 2020, Governor Gary R. Herbert issued an executive order declaring a state of emergency due to COVID-19; 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, the UDOH, in coordination with the Governor’s Office and Utah COVID-19 Community Task Force, issued a Public Health Order (“State 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 Department issued its original Public Health Order, and

WHEREAS, on March 21, the UDOH issued an amended Public Health Order to replace its March 17 State Order; and

WHEREAS, consistent with the purposes and objectives stated in the amended UDOH State Order and by recommendation of the State, the Utah County Health Department Executive Director / Local Health Officer does hereby find that there is an imminent and proximate threat to public health from the introduction of COVID-19 into Utah 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.”

THEREFORE, PURSUANT TO UTAH CODE §26A-1-114, BE IT HEREBY ORDERED BY THE UTAH COUNTY HEALTH DEPARTMENT EXECUTIVE DIRECTOR / LOCAL HEALTH OFFICER, RALPH CLEGG, ISSUES THIS AMENDED ORDER TO REPLACE THE ORDER ISSUED ON MARCH 18, AS FOLLOWS:

1. **Restaurants, Bars, and Taverns.** Effective immediately, all food service, restaurants, self-serve buffets, salad bars, unpackaged self-serve food services, bars, taverns, nightclubs, private liquor clubs, and saloons in the state of Utah (hereinafter, “food service establishments”) shall immediately close to members, guests, patrons, customers, and the general public. Notwithstanding the foregoing, food service may operate on a limited basis subject to the following operational restrictions and prohibitions:

- Dine-in food service, whether inside or outside a food service establishment, is prohibited.
- Take-out food service is permitted only if the food order is placed remotely by electronic means such as by internet or phone app or by telephone. A take-out order may not be placed inside the food service establishment. A food service establishment may not admit a member, guest, patron, or customer inside the food service establishment except to pick up food for take-out.
- Drive-through food service is permitted.

- Where possible, online (e.g., Venmo, Squarecash, Google Pay, Apple Pay) and telephonic credit card transactions are strongly encouraged. Cash payments are strongly discouraged.
- An employee who handles cash or a credit card shall use cleansing measures between each transaction, including using any best practices issued by the Department or the UDOH. An employee who handle cash or credit cards may not participate in food preparation, handling, or delivery.
- A hotel 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.
- Third party delivery service (e.g., Uber Eats and DoorDash) is permitted except as otherwise prohibited or restricted by the Department in coordination with the UDOH. An employee of a third-party delivery service shall avoid physical contact with any customer. An employee of a third-party delivery service may not engage in any delivery services if the employee presents any symptoms of illness consistent with COVID-19. An employee of a third-party delivery service shall use cleansing measures between each transaction, including using any best practices issued by the Department or the UDOH.
- Management of food service establishments shall ensure, on a daily basis and at the beginning of each shift, that no employee who presents any symptom of illness consistent with COVID-19 will be permitted to work.
 - 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 Department or the UDOH.
- Additional requirements or order clarifications for food establishments may be issued by the Department or the UDOH as circumstances and practices dictate.

2. Access to long-term care facilities shall be governed by the guidance issued by the Centers for Medicare and Medicaid Services, Center for Clinical Standards and Quality.

Due to the circumstances and the continuing spread of COVID-19, the Department or the UDOH shall immediately close all business activity at any establishment that violates any provision of this Order or an Order of the UDOH.

In addition to the above orders, the following recommendations are made which are not enforceable by law, but are effective in avoiding the spread of COVID-19.

3. **Recommendations about Mass Gatherings.** The Department recommends the following for mass gatherings:

- An individual who exhibits any symptom of illness consistent with COVID-19 should withdraw from or be excluded from any physical social event or gathering, regardless of the size of the event or gathering.

- Each individual and business should follow the March 16, 2020, White House recommendation to avoid any social event or gathering of more than 10 people.
 - This recommendation does not apply to critical government services such as fire, police, emergency response, and court services, or to other necessary services such as hospitals, domestic violence shelters, homeless shelters, grocery stores, convenience stores, stores that sell other commodities, gas stations, and the shipping, transportation, and airline industries. These industries are encouraged to use appropriate precautions to prevent and control the spread of COVID-19 and are also encouraged to make critical services available.
 - This recommendation should not be interpreted to suggest that a business should not have more than 10 employees in a single location, however businesses are encouraged to follow the additional recommendations below.
 - This recommendation does not apply to a family with more than 10 people in the same household.
 - This recommendation does not apply to a licensed or contracted residential care provider.

4. **Recommendations for All Individuals.** The Department recommends the following for all individuals:

- If an individual has tested positive for COVID-19, each member of the individual's household should self-isolate.
- Each individual should refrain from entering assisted living facilities and retirement homes except to provide critical assistance.
- Each individual over the age of 60 or who is immunocompromised should avoid contact with any other individual except to receive critical assistance.
- Each individual should avoid discretionary travel, gymnasiums, shopping trips (other than shopping for food and other essentials), and social visits.

5. **Recommendations for Businesses.** The Department recommends the following for all businesses:

- Where possible, a business should encourage its employees to telecommute.
- If telecommuting is not possible or practicable, a business should review and implement industry best practices with regard to physical distancing in the workplace, including:
 - Grouping employees into cohorts of no more than ten individuals that have limited contact with the other cohorts in the workplace:
 - Encouraging employees to avoid close contact with other individuals; and
 - When close contact is necessary, encourage employees to follow good hygienic practices of keeping distances between individuals to a minimum of six feet, engaging in appropriate regular and frequent hand washing and sanitizing, engaging in regular and

frequent disinfecting of high-touch surfaces, avoiding physical contact with other individuals, and avoiding any touching of hands to any part of the face.

- An employee who handles cash or a credit card should use cleansing measures between transactions, including using best practices issued by the Department or the UDOH. Cash transactions are discouraged but not prohibited. Where possible, online (e.g., Venmo, Squarecash, Google Pay, Apple Pay) and telephonic credit card transactions are strongly encouraged.
- Management should screen each employee, on a daily basis and at the beginning of each shift, for any symptom consistent with COVID-19. An employee who presents symptoms consistent with COVID-19 should not be permitted to work at the physical premises of the business.
- A member, guest, patron, or customer who present any symptom of illness consistent with COVID-19 should be excluded from the physical premises of the business.
- A business that serves a customer in person should use cleansing measures on high-touch surfaces and equipment, including using best practices issued by the Department or the UDOH.

This Order supersedes the order issued by the Department on March 18, 2020.

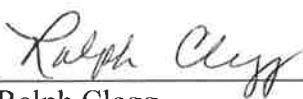
Duration. This Order shall remain in effect through April 1, 2020, unless further extended.

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

We recognize and applaud the many in our communities who are already implementing these recommendations on their own. We recognized the need and the efforts undertaken to address this rapidly evolving pandemic to reduce wherever possible the spread of the Coronavirus in our communities

EFFECTIVE DATE: March 23, 2020

UTAH COUNTY HEALTH DEPARTMENT



Ralph Clegg
Utah County Health Department
Executive Director / Local Health Officer

APPROVED AS TO FORM



Ben Van Noy
Utah County Deputy Attorney