



AMENDED 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 April 14, 2020, the CDC indicates that there are over 605,390 confirmed cases of COVID-19 in the United States and the UDOH reports 2542 cases in Utah as of April 15, 2020, with over 352 confirmed cases in Utah County; and

WHEREAS, the UDOH recognizes that confirmed community transmission in the United States and in Utah significantly increases the risk of exposure and infection to the general public, 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 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 27, Governor Gary R. Herbert issued a Coronavirus Directive for Utah and amended and extended that order on April 10; 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 amended its order on April 1; and

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

WHEREAS, on April 1, the UDOH issued an amended Public Health Order to replace its March 21 State Order, and UDOH issued an amended Public Health Order on April 14, to replace its April 1 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 theaters, 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 APRIL 1, AS FOLLOWS:

SECTION I

1) Self-Isolation and Self-Quarantine.

- a) “Self-isolation or self-quarantine notice” means any instruction, guideline or order from the Department, another local health authority, or UDOH regarding an individual who tests positive for COVID-19 or who is exposed to an individual who tests positive for COVID-19.
- b) The following individuals shall comply with a self-isolation or self-quarantine notice:
 - i) An individual who tests positive for COVID-19;
 - ii) An individual who is exposed to an individual who tests positive for COVID-19; and
 - iii) An individual who is a member of the same household or residence of an individual who tests positive for COVID-19.
- c) An isolation or quarantine order issued pursuant to Utah Code Title 26, Chapter 6 or 6b, by the Department concerning a specific individual supersedes Subsection (1)(b).

2) **Food Service Establishments.** Each food service establishment, as defined in this Order, shall close to members, guests, patrons, customers, and the general public, except as permitted on a limited basis subject to the following requirements and restrictions:

- a) “Food service establishment” means:
 - i) a restaurant, self-serve buffet, salad bar, unpackaged self-serve food service, bar, tavern, nightclub, private liquor club, or saloon; or
 - ii) a hotel with an on-premise or attached restaurant, self-serve buffet, salad bar, unpackaged self-serve food service, bar, tavern, nightclub, private liquor club, or saloon; or
 - iii) a convenience store that sells a hot food item or a self-serve drink.
- b) A food service establishment may not:
 - i) provide dine-in food service, including dine-in food service provided outside the food service establishment (i.e., outdoor seating);
 - ii) admit a member, guest, patron, or customer inside the food service establishment except to allow the member, guest, patron, or customer to order, pick up, or pay for food, except that this Subsection (2)(b)(ii) does not apply to a convenience store; or
 - iii) if the food service establishment is a hotel, 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.
- c) A food service establishment may:

- i) provide drive-through food service;
 - ii) provide take-out or curbside pick-up food service;
 - iii) provide food delivery service; and
 - iv) utilize a third-party food delivery service, including DoorDash or UberEats, except as otherwise prohibited or restricted by the Department in coordination with the UDOH.
- d) A food service establishment shall:
- i) clean each high-touch surface area of the food service establishment using any best practices issued by the Department or the UDOH;
 - ii) ensure that an employee who handles cash or a credit card during the course of business uses cleansing measures between each transaction, including using any best practices issued by the Department or the UDOH;
 - iii) prohibit an employee who handles cash or a credit card during the course of business from participating in food preparation, handling, or delivery without first using cleansing measures, including using any best practices issued by the Department or the UDOH;
 - iv) ensure that a manager or supervisor, or another employee if no manager or supervisor is available, checks each employee on a daily basis and at the beginning of the employee's shift for any symptom of illness consistent with COVID-19;
 - v) prohibit an employee who presents any symptom of illness consistent with COVID-19 from being physically present on the premises of the food service establishment; and
 - vi) restrict a gathering or line formation in or around the physical premises of the food service establishment of individuals who are not employees of the food service establishment as follows:
 - (1) if a gathering or line formation can be reasonably avoided, by prohibiting a gathering or line formation of any number of individuals; or
 - (2) if a gathering or line formation cannot be reasonably avoided, by requiring each individual in a gathering or line to maintain a physical distance of at least six feet from any other individual, unless that individual is a member of the same household or residence, or the individuals are separated by a physical barrier capable of preventing the transmission of respiratory droplets.
- e) An employee of a food service establishment may not:
- i) participate in food preparation, handling, or delivery if the employee handles cash or a credit card during the course of business unless the employee first uses cleansing measures,

including using any best practices issued by the Department or the UDOH; or

- ii) be physically present on the premises of the food service establishment if the employee presents any symptom of illness consistent with COVID-19.
- f) An employee of a food service establishment who handles cash or a credit card during the course of business shall use cleansing measures between each transaction, including using any best practices issued by the Department or the UDOH.

3) **Food Delivery Services.**

- a) An employee of a third-party food delivery service or food service establishment that provides food delivery may not:
 - i) engage in physical contact with a customer during a food delivery; or
 - ii) participate in food preparation, handling, or delivery if the employee presents any symptom of illness consistent with COVID-19.
- b) An employee of a third-party food delivery service or food service establishment that provides food delivery shall use cleansing measures between each delivery, including using any best practices issued by the Department or the UDOH.

4) **Long-term Care Facilities.** 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.

5) **Enforcement.** The Department or the UDOH shall immediately close all business activity at any establishment that knowingly violates any provision of this Order or an Order of the UDOH.

SECTION II

In addition to the above orders, I make the following recommendations, which are not enforceable by law but are effective in reducing the spread of COVID-19. These recommendations supplement the Governor's "Stay Safe, Stay Home" Directive and any other orders issued by the state or the Department.

- 1) **Recommendations for Individuals.** The Department recommends the following for individuals:
 - a) Individuals should avoid the following businesses and services: hair, nail, and eyelash salons; barber shops; waxing and electrolysis providers; day spas and estheticians; permanent makeup; eyebrow threading; body art facilities, including tattoo and piercing parlors; massage and tanning services; swimming pools and splash pads; aquariums, zoos, aviaries, and museums; playgrounds and recreational centers; arcades, bowling alleys, and movie theaters; gyms and fitness centers; theatres and performance venues; indoor play centers; and social clubs.

- b) Individuals should limit the number of members of the same household or residence who enter any place of public access at a given time to the fewest number practicable.
- 2) **Recommendations for Businesses.** The Department recommends the following for businesses:
- a) Businesses should review and implement best practices regarding customer payments and transactions, including:
 - i) encouraging customers to order and pay for goods or services using online or telephonic credit card transactions, or mobile payment services, including Apple Pay, Google Pay, Squarecash, or Venmo;
 - ii) limiting cash transactions; and
 - iii) requiring employees who handle cash or credit cards during the course of business to use cleansing measures between transactions, including using best practices issued by the Department or the UDOH.
 - b) Businesses should review and implement best practices regarding employee and customer health and screening, including:
 - i) requiring a manager or supervisor to screen each employee, on a daily basis and at the beginning of the employee’s shift, for any symptom of illness consistent with COVID-19;
 - ii) prohibiting an employee who presents any symptom of illness consistent with COVID-19 from being physically present on the premises of the business; and
 - iii) prohibiting a member, guest, patron, or customer who presents any symptom of illness consistent with COVID-19 from being physically present on the premises of the business.
- 3) **Purpose.** The purpose of this Order is to protect individual’s health and not to hold them criminally liable.
- 4) **Recommendations for All Individuals and Businesses:**
- a) We strongly recommend that all individuals and businesses do their part to fight the spread of the virus by adhering to the Utah Governor’s Coronavirus Directive for Utah, “STAY SAFE, STAY HOME” as amended and issued on April 10, 2020. See addendum A.

This Order supersedes the order issued by the Department on April 1, 2020.

Duration. This Order is declared and effective immediately shall remain in effect through May 1, 2020, at 11:59 p.m., unless further extended, or until otherwise modified, amended, rescinded, or superseded.

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

As the world-wide pandemic continues to evolve, we recognize the extraordinary and difficult efforts of the many individuals and businesses in our communities who have implemented these recommendations.

EFFECTIVE DATE: APRIL 17, 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

ADDENDUM A



Gary Richard Herbert

Governor

DIRECTIVE TO THE STATE OF UTAH

*The Governor's Coronavirus Directive for Utah
"Stay Safe, Stay Home"*

Updated April 10, 2020

I would like to thank all Utahns who continue to do their part to slow the spread of novel coronavirus disease 2019 (COVID-19). Utahns have increased their efforts since I originally issued this Directive on March 27, 2020, and these efforts continue to make a difference. It is important that we maintain these enhanced protective measures for our own safety and the safety of everyone around us.

I expect each Utah resident and business to follow these directives. These directives are necessary to keep Utah residents safe during the worldwide COVID-19 pandemic. These safety requirements will certainly result in disruptions to our lives, and that cannot be avoided. Those disruptions are a critical part of keeping ourselves safe.

Following these directives now will avoid significant hardship later.

These directives establish minimum statewide standards. In consultation with the State, local authorities may impose more stringent directives and orders to address the unique circumstances in different areas of Utah.

These directives are not to be confused with a shelter-in-place order.

The following directives are effective immediately and shall remain in place until 11:59 p.m. on May 1, 2020.

I. Directives for Individuals

Each individual in the state of Utah is hereby directed to engage in the following measures to reduce the spread of COVID-19:

1. **Health orders and guidelines.** Follow orders, guidelines, and standards promulgated by the Utah Department of Health and applicable local health departments.
2. **Self-isolation after exposure to COVID-19.** Self-isolate for 14 days after:
 - a. traveling out of state; or
 - b. being exposed to an individual presenting symptoms of illness consistent with COVID-19.
3. **Social and physical distancing.**
 - a. Stay at home as much as possible.
 - b. Work from home as much as possible.
 - c. Maintain a six-foot distance from individuals who are not members of the same household or residence when outside or in public.
 - d. Socialize remotely by phone or video chat.

- e. Do not shake hands with other individuals.
 - f. Do not pay in-person social visits to hospitals, nursing homes, or other residential care facilities.
 - g. Do not pay in-person social visits to friends or family.
 - h. Do not attend any in-person gathering of any number of people who are not of the same household or residence.
4. **Hygiene.**
- a. Wear a cloth face covering that covers the nose and mouth in any place of public accommodation, including retail establishments and grocery stores, and whenever social distancing is not possible.
 - b. Wash hands frequently with soap and water for at least 20 seconds.
 - c. Use hand sanitizer frequently.
 - d. Avoid touching your face.
 - e. Cover coughs or sneezes by coughing or sneezing into the sleeve or elbow, but not into hands.
 - f. Clean high-touch surfaces regularly, including buttons, door handles, counters, and light switches.
5. **Children.**
- a. Do not arrange or allow your child to participate in in-person playdates or similar activities.
 - b. Do not allow your child on public playground equipment.
6. **Outdoor activities and recreation.**
- a. Maintain a six-foot distance from individuals who are not members of the same household or residence when engaging in outdoor activities or recreation, including walking, hiking, running, biking, driving for pleasure, hunting, and fishing.
 - b. Avoid high-touch surfaces.
 - c. Do not engage in close-contact or team sports.
 - d. Do not congregate at trailheads, parks, or other outdoor spaces.
7. **Travel.**
- a. Limit travel only to essential travel.
 - b. "Essential travel" means travel to:
 - i. safely relocate from an unsafe home or residence, including by an individual who has suffered or is at risk of domestic violence or for whom the safety, sanitation, or essential operations of the home or residence cannot be maintained;
 - ii. work if you cannot work remotely;
 - iii. care for a family member or friend in the same household or another household, including transporting family members or friends;
 - iv. transport a child according to existing parenting time schedules or other visitation schedules;
 - v. seek emergency or protective services;
 - vi. obtain the following supplies and services:
 - A. medication and medical services;
 - B. food and other grocery items, including delivery or carry-out services, and alcoholic or non-alcoholic beverages;
 - C. gasoline and other motor-vehicle fuels;
 - D. supplies required to work from home;
 - E. products needed to maintain the safety, sanitation, and essential operation of homes and residences, businesses, and personally owned vehicles, including automobiles and bicycles; and
 - F. laundromat and dry cleaning services;
 - vii. donate blood;
 - viii. care for pets, including travel to a veterinarian;
 - ix. engage in recreational and outdoor activities close to home; and
 - x. return to a home or place of residence.
8. **Homeless individuals.** Notwithstanding any other provision of this Directive, except as required by the Utah Department of Health or a local health department to maintain public health, a law-abiding individual experiencing homelessness may:
- a. move between emergency shelters, drop-in centers, and encampments; and
 - b. remain in an encampment of ten or fewer members without being subject to disbandment by state or local government.

II. Directives for For-Profit and Nonprofit Organizations

Each business, including for-profit and nonprofit organizations, in the state of Utah is hereby directed to engage in the following measures to reduce the spread of COVID-19:

1. **Proactive response.** Proactively implement policies and best practices to:
 - a. reduce disease transmission among employees and volunteers;
 - b. maintain a healthy work environment; and
 - c. maintain critical operations while complying with state and local orders, directives, and recommendations.
2. **Remote work.**
 - a. Require employees and volunteers to work remotely from home except to perform work that cannot be done from home.
 - b. Utilize video conferencing and virtual meeting services.
3. **Non-remote work.**
 - a. Require employees and volunteers who present symptoms of illness consistent with COVID-19 to stay home.
 - b. Do not require a positive COVID-19 test result or healthcare provider's note for an employee or a volunteer who stays home due to illness.
 - c. Enhance social distancing in the workplace by grouping employees and volunteers into cohorts of no more than ten individuals that have limited contact with other cohorts.
 - d. Enable employees and volunteers to follow the directives in Part I, Directives for Individuals, including by providing employees with hand soap, hand sanitizer, or sanitizing wipes.
 - e. Minimize face-to-face contact with high-risk employees and high-risk volunteers.
 - f. Implement flexible work hours.
4. **High-risk individuals.** Take measures to accommodate high-risk individuals.

III. Application

Except as otherwise lawfully required, nothing in this Directive should be interpreted to prohibit the following persons from fulfilling their duties and responsibilities:


1. healthcare professionals;
2. law enforcement officers and other first responders;
3. faith leaders and faith workers; and
4. charitable and social services organizations.



ATTEST:

IN TESTIMONY, WHEREOF I have hereunto set my hand and caused affixed the Great Seal of the State of Utah, this 10th, day of April, 2020.


Gary R. Herbert
Governor


Spencer J. Cox
Lieutenant Governor