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

In the matter of:

PUBLIC HEALTH ORDER

COVID-19 Pandemic within Summit County, Utah

Order No.: 2020-01
Date: March 15, 2020
Legal Authority: Utah Code §26A-1-114

On January 21, 2020, the Utah Department of Health (“UDH”) activated its Department Operations Center in response to the evolving COVID-19 global pandemic. The UDH recognizes COVID-19 as an imminent threat to the health and safety of the residents of the State of Utah (“Utah”). The UDH, local health departments, and health and medical partners have activated response plans and protocols 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”).

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.

The CDC has identified the potential public health threat posed by COVID-19 both globally and in the United States as “high,” and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States.

As of March 15, 2020, the CDC indicates that there are over 160,000 confirmed cases of COVID-19 worldwide with over 3,000 of those cases in the United States, including 28 in Utah, with 8 in Summit County.

The UDH 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.

To combat the spread of COVID-19, Utah and various counties and local health departments have each declared local public health emergencies.

The Summit County Health Officer has found that the above facts raise the likelihood of widespread community transmission occurring among the general public and the need for Summit 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 Summit County.

On March 12, 2020, the Summit County Health Officer declared a Local Public Health Emergency concerning COVID-19. Simultaneously, the Summit County Manager declared a Local Emergency in Summit County, Utah.

On that same date, Summit County and Park City announced the closure of many of their public facilities, including senior centers, fitness facilities, recreation facilities, event centers, and libraries.

On March 13, 2020 at 4 pm (MST), the Governor 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.

On March 14, 2020 at 10 am (MST), the Summit County Health Officer and the UDH State Epidemiologist announced "a new case of COVID-19 that is the first instance of community spread of the disease in Utah. Community spread means spread of an illness for which the source of infection is unknown. In the Summit County case, the patient had no history of travel and no known contact with any person who has been confirmed to have COVID-19" (the "Community Spread"). On March 14, 2020, Deer Valley Resort, Park City Mountain Resort, Park City Resort at the Canyons Village, and Woodward Park City, announced that they would voluntarily suspend operations.

Utah Code §26A-1-114(1)(e) 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."

As of March 14, 2020, Summit County was determined by the UDH to have the highest proportion of individuals testing positive for the COVID-19 virus in Utah, with 6 of the 8 confirmed cases within Summit County determined to be travelers to Summit County who contracted the virus in locations outside of Utah. Given Summit County's and Park City's prominence as tourist destinations for domestic and international travelers, and given the heightened risk of further Community Spread through public contacts among visitors, locals, and the service providers in close contact where people gather, with many such contacts having likely occurred, the Summit County Health Officer has determined that the closure of a wide

variety of venues and facilities where members of the public congregate within Summit County is critical to minimize further Community Spread and to soften the demand curve likely to be placed on Summit County's healthcare systems, facilities, supplies, and providers.

THEREFORE, PURSUANT TO UTAH CODE §26A-1-114 AND SUMMIT COUNTY CODE OF HEALTH §1-1-10(b), BE IT HEREBY ORDERED BY RICHARD C. BULLOUGH, PHD, SUMMIT COUNTY HEALTH OFFICER, AS FOLLOWS:

Section 1. **Restaurants, Bars, and Taverns.** Effective at 5 pm (MST) on March 15, 2020, all restaurants, coffee/tea shops, employee cafeterias, self-serve buffets, salad bars, unpackaged self-serve food services, bars, taverns, nightclubs, private liquor clubs, and saloons in Summit County shall immediately close to members, guests, patrons, customers, and the general public. Notwithstanding the foregoing, restaurants may operate on a limited basis subject to the following operational restrictions and prohibitions, so long as the restaurant notifies the Summit County Health Department (the "Health Department") that it intends to operate on a limited basis hereunder and executes a memorandum of understanding with the Health Department:

- Prohibition on all dine-in food service, whether inside or outside the establishment, and prohibition of admitting members, guests, patrons, and customers inside the establishment.
- Curbside take-out or drive-thru food service is permitted. Cash payments are strongly discouraged. Staff who take cash or credit card payments shall use cleansing measures between each transaction, including using any best practices issued by the Health Department. Where possible, on-line (e.g.; *Venmo*, *Squarecash*, *Googlepay*, and similar payment apps) and telephonic credit card transactions are highly encouraged. Staff who handle cash or credit cards shall not be involved in the preparation, handling, or delivery of food.
- Employees must take food items to the curb and give the items to members, guests, patrons, and customers through the car window.
- For hotel restaurants, food items may only be delivered as room service or curbside service as described above.
- Third party food delivery services (i.e. *Uber Eats*, *Door Dash*, etc.) are prohibited.
- Management shall and must ensure, on a daily basis, that no employee who presents symptoms of illness will be permitted to work.

Due to the evolving situation with the potential spread of the COVID-19 virus, violations of these operational restrictions shall result in the immediate closure of individual businesses and

establishments to all business activity. Businesses found to be in violation will not be re-opened pending a rescission of this and any subsequent Public Health Order with respect to COVID-19.

Section 2. **Resorts.** Effective at 5 pm (MST) on March 15, 2020, all ski and other recreational resorts in Summit County, including but not limited to Deer Valley Resort, Park City Mountain Resort, Park City Resort at the Canyons Village, Utah Olympic Park and Woodward Park City, shall be closed to members, guests, patrons, and the general public.

Section 3. **Movie, Cinematic, and Live Performance Theatres and Venues.** Effective at 5 pm (MST) on March 15, 2020, all movie, cinematic, dance clubs, music clubs, discotheques, golf clubs, country clubs, and live performance theatres and venues in Summit County, including but not limited to the Redstone 8 Theatre and the Holiday Village 4 Theatre, shall be closed to members, guests, patrons, and the general public.

Section 4. **Lodging.** Effective at 5 pm (MST) on March 15, 2020, with respect to all lodging facilities in Summit County, all communal pools, hot tubs, locker rooms, saunas, steam rooms, fitness centers, gyms, conference rooms, and spas shall be closed to members, guests, patrons, and the general public. Management shall implement social distancing measures in lobbies and communal areas of the establishment, including lines for front desk and concierge, and cleansing measures between each transaction for staff who have to handle cash and credit cards at check-in. Shuttle services shall adhere to guidance provided by the Health Department. Management shall post signage approved by the Health Department which advises members, guests and patrons of COVID-19 protocols.

Section 5. **Transportation.** Park City Transit shall transition to Spring service levels. Management shall implement cleansing measures in accordance with the standards set forth in the Contagious Virus Response Plan of the American Public Transportation Association. The Kimball Circulator Service shall be suspended until further notice.

Section 6. **Public Gathering Places.** Effective at 5 pm (MST) on March 15, 2020, all museums, gyms, exercise studios, spas, fitness centers, health clubs, indoor recreational facilities, churches, and all entertainment venues, including without limitation music performance venues, live stage performances, and lectures, shall be closed to members, guests, patrons, and the general public.

Section 7. **General Protocols for Businesses.** Effective immediately, all establishments shall comply with the following regulations:

- Implement social distancing (six feet) measures in communal areas of the establishment.

- Staff who have to take cash or credit cards shall use cleansing measures, including best practices issued by the Summit County Health Department, between transactions. Cash transactions are discouraged, but not prohibited.
- Management shall and must ensure, on a daily basis, that no employee who presents symptoms of illness will be permitted to work.
- Members, guests, patrons, or customers who present symptoms of illness shall be excluded from the establishment.
- Management shall post signage approved by the Summit County Health Department which advises patrons of COVID-19 protocols.

Section 8. Special Event Permits. The Summit County Health Department shall not approve any new special event permits.

Section 9. General Prohibitions. Effective immediately, the following prohibitions shall apply throughout Summit County:

- No mass gatherings over one hundred (100) people shall be held; provided, however, that in the event any individual over the age of sixty (60) is present, the size of such gathering shall be limited to twenty (20) people.
- Access to long-term care facilities shall be limited to close family relatives and facility staff.

Section 10. Duration. This Order shall expire thirty (30) calendar days after the Effective Date. The Summit County Health Officer shall re-evaluate this Order in fourteen (14) calendar days.

Section 11. Publication. This Order shall be on file for public inspection with the Summit County Health Department.

Section 12. 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.

Section 13. Violations. An initial violation of this Order is punishable as a Class B Misdemeanor. Subsequent violations are punishable as Class A Misdemeanors. Each day of violation constitutes a separate offense (Utah Code §26A-1-123(1)(a) and (b); Summit County Code of Health §1-1-8(A)).

Effective Date: March 15, 2020

BY ORDER OF THE SUMMIT COUNTY HEALTH OFFICER



Richard C. Bullough, PhD
County Health Officer

Approved as to Form:



Margaret Olson
Summit County Attorney