



**CLEAR CREEK COUNTY BOARD OF HEALTH
RESOLUTION 21-04**

**RESCINDING STANDING PUBLIC HEALTH ORDER
REQUIRING FACIAL COVERINGS BUT MAINTAINING STANDING PUBLIC
HEALTH ORDER FACILITATING CONTACT TRACING**

May 20, 2021

FINDINGS

Whereas, the Clear Creek County Board of Health (“BOH”) has public health jurisdiction over Clear Creek County, including all cities and towns therein. In furtherance of its jurisdiction, BOH has the power and duty to investigate and control the causes of epidemic or communicable diseases and conditions affecting the public health within Clear Creek County; and

Whereas, on July 2, 2020, the BOH, through adoption of Resolution 20-04, issued a Standing Public Health Order Requiring Facial Coverings in Public Where Social Distancing Cannot be Maintained (“Standing Order”); and

Whereas, on September 20, 2020, the BOH, through adoption of Resolution 20-06, amended the Standing Order to add language facilitating contact tracing; and

Whereas, on April 27, 2021, the BOH, through adoption of Resolution 21-03, amended the Standing Order by extending it through August 15, 2021, unless extended or modified by further order of the BOH or the Clear Creek County Public and Environmental Health (“CCCPEH”) Director; and

Whereas, Coloradans started to access the COVID-19 vaccines on December 14, 2020, and the general population of the State of Colorado became eligible to receive the COVID-19 vaccines on April 2, 2021; and

Whereas, on May 13, 2021, the Centers for Disease Control and Prevention (“CDC”) outlined new mask guidance for vaccinated and unvaccinated individuals; and

Whereas, on May 14, 2021, the Governor of the State of Colorado, to align prior Executive Orders with the new CDC guidance, issued Executive Order D 2021 103, amending and restating previous executive orders requiring individuals in Colorado to wear face coverings in certain settings (“State Face Covering Order”); and

Whereas, the State Face Covering Order allows any fully vaccinated individual to go without a face covering in most settings, but maintains some face covering requirements for unvaccinated or not fully vaccinated individuals; and

On May 14, 2021, the Colorado Department of Public Health and Environment (“CDPHE”) issued the Second Amended Public Health Order 20-38, which incorporates the face covering



requirements and exemptions for fully vaccinated people contained in the State Face Covering Order; and

Whereas, because of the new CDC guidance and resulting orders from the Governor and CDPHE, the BOH desires to rescind those portions of the Standing Order pertaining to face coverings while maintaining those portions of the Standing Order pertaining to facilitating contact tracing.

ORDER

Pursuant to statutory authority granted to the BOH, the following is ordered:

1. The Standing Order as it applies to face coverings is rescinded. Individuals and businesses in Clear Creek should follow the face covering requirements set forth in the State Face Covering Order and the Second Amended Public Health Order 20-38 issued by CDPHE.
2. “Public Indoor Space,” as used in the Order, means any enclosed indoor area that is publicly or privately owned, managed, or operated to which individuals have access by right or by invitation, expressed or implied, or that is accessible to the public, serves as a place of employment, or is an entity providing services. Public Indoor Spaces include all enclosed indoor areas except for an individual’s Residence.
3. Preemption and Conflicts.
 - a. This Order is in addition to all executive orders issued by the Governor of Colorado and all public health orders and guidance documents issued by CDPHE. If there is conflict between this Order and any executive order, CDPHE public health order or local public health order, the most restrictive order applies.
 - b. Nothing in this Order should be construed to preempt any local public health orders. If there is conflict between this Order and any local public health order, the most restrictive order applies.
4. Individuals must comply with CCCPEH’s case and outbreak investigations, including, without limitation, providing names and contact information for other persons that have COVID-19 or were a close contact of someone with COVID-19, or any other information requested by CCCPEH to investigate and control the spread of COVID-19.
5. All Public Indoor Spaces must comply with case and outbreak investigations, including but not limited to providing names and contact information for employees, customers, or guests that have COVID-19, were a close contact of someone with COVID-19 or any other information requested by CCCPEH to investigate and control the spread of COVID-19.
6. Along with CDPHE, the Clear Creek County BOH and the CCCPEH are tasked with protecting the health and welfare of the citizens of Clear Creek County by investigating and controlling cases of epidemic and communicable disease. This Order is necessary to control the transmission of disease to others. Immediate issuance of this Order is necessary for the preservation of public health, safety, or welfare. CCCPEH will attempt to seek




voluntary compliance through education. However, this Order may be enforced by any appropriate legal means.

7. This Public Health Order shall be in effect from 11:59 p.m. on May 20, 2021, and shall expire at 11:59 p.m. on August 15, 2021, unless extended or modified by further order of the BOH or the CCCPEH Director. This Order rescinds prior Resolutions of the BOH relating to facial mask coverings and supersedes prior Resolution of the BOH relating to facilitating contact tracing.
8. If any provision of this Order, or its application to any person or circumstance, is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

FAILURE TO COMPLY WITH THIS ORDER IS SUBJECT TO PENALTIES CONTAINED IN C.R.S. §25-1-516, INCLUDING A FINE OF UP TO FIVE THOUSAND DOLLARS (\$5,000.00) AND IMPRISONMENT IN THE COUNTY JAIL FOR UP TO EIGHTEEN (18) MONTHS.

If you have questions regarding this Order, please contact the CCCPEH at 303-670-7528.


ADOPTED this 20th day of May, 2021, at a regular meeting of the Clear Creek County Board of Health.


George Marlin, Chairman

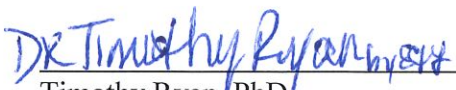

Sean C. Wood, Commissioner

NO
Randall Wheelock, Commissioner

ATTEST:


Deputy Clerk and Recorder
For Brenda L. Corbett
Clear Creek County Clerk and Recorder

Received and Approved


Timothy Ryan, PhD
Public & Environmental Health Director

5/24/21
Date

