

RESOLUTION NO 05212020

A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF CENTER, COLORADO, ADOPTING A PUBLIC HEALTH ORDER OF THE TOWN OF CENTER, COLORADO FOR THE PROMOTION OF HEALTH AND SUPPRESSION OF DISEASE TO REQUIRE FACE COVERINGS WITHIN THE TOWN OF CENTER

WHEREAS, pursuant to the Colorado Disaster Emergency Act, C.R.S., Section 24-33.5-701, et seq., the Town of Center ("Town") has identified a local disaster currently present in the Town, to wit, the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from COVID-19 requiring emergency action to avert danger or damage and to protect public health; and

WHEREAS, the Colorado Governor Jared Polis and Colorado Department of Public Health and Environment have indicated the likelihood of community transmission of COVID-19; and

WHEREAS, pursuant to C.R.S. Section 24-33.5-709, on April 21, 2020, the Town Board declared a local disaster emergency; and

WHEREAS, this Public Health Order is being issued to limit the health impacts of COVID-19. This Order sets forth requirements for the public to utilize face coverings inside of public places, to slow the spread of the COVID-19 virus; and

WHEREAS, this Order is adopted pursuant to the legal authority set forth in C.R.S. Section 31-15-401(b), as well as all other applicable laws, rules, regulations, orders and declarations. Under this authority, the Town of Center has the police powers "[t]o do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease" within the Town limits of the Town of Center. Immediate issuance of this Order is deemed reasonable and necessary under the existing circumstances and necessary for the preservation of the public health, safety and welfare; and

WHEREAS, the Town's authority to issue this Order is in addition to those exercised by the Governor of Colorado, State of Colorado Department of Public Health and Environment, and Saguache and Rio Grande Counties Department of Public Health; and

WHEREAS, the Centers for Disease Control and Prevention recommends wearing face coverings in public settings to prevent the spread of COVID-19.

WHEREAS, the Town finds that these actions will limit the cascading impacts on critical services by limiting spread of COVID-19. This Order and actions will help first responders, and other healthcare services continue to provide services for those who need them

(along with utilities, human services, and businesses) in the coming weeks and months. Collective action can save lives and is in support of the most vulnerable in our community; and

WHEREAS, the Town Board finds that it is appropriate and in the interests of the public health, safety, and welfare and would further protect property and civil order, for the Town Board to adopt this Public Health Order.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF CENTER, COLORADO,

That the Town Board hereby adopts the following Public Health Order:

Section 1. Definition.

Face Covering(s) means a uniform piece of material, made of cloth, fabric or other soft or permeable material without holes, that securely covers a person's nose and mouth and which remains affixed in place without the need to use one's hands to hold or secure the material covering to both the nose and mouth.

Section 2. Face Coverings required.

All persons shall wear Face Coverings:

- a. when entering and while inside of a place of business open to the public, and
- b. in such other public indoor or outdoor places where persons are unable to maintain safe social distancing (six or more feet separation) from others not of their own household,

Section 3. All businesses are required.

- a. to enforce mask coverings prior to entering their business.
- b. monitor safe social distancing (six or more feet separation) from customers not of the same household.
- c. to have all employees wearing face coverings during their working shift.

Section 4. Exceptions.

Nothing herein shall require the wearing of face coverings by the following persons:

- a. Persons under the age of two years; and
- b. Persons working in a professional office who do not have any face-to-face interactions with the public.

Section 5. General Information for all Persons. Pursuant to federal Centers for Disease

Control guidance, the public is strongly encouraged to wear cloth Face Coverings that:

- a. fit snugly but comfortably against the side of the face;
- b. are secured with ties or ear loops;
- c. include multiple layers of fabric;
- d. allow for breathing without restriction; and
- e. are able to be laundered and machine dried without damage or change to shape.

Section 6. Effective Date and Time, Limitations and Area.

The Public Health Order will become effective at 6:00 a.m. on May 22, 2020, unless otherwise specifically provided for herein, and will remain in effect until June 30, 2020 unless otherwise lifted or extended. This Order is effective within the entirety of the town limits of the Town of Center, Colorado.

Section 7. Most Restrictive Standard Controls.

To the extent any State and/or Federal orders or laws are more restrictive than what is set forth herein, such orders control.

Section 8. Penalties.

Failure to comply with this Order could be subject to a penalty of \$25 for the first offense and \$50 for the second offense.

INTRODUCED, AND ADOPTED by the Town Board of the Town of Center on the 21, day of May 2020,



Anthony Garcia, Mayor



Brian Lujan, Town Clerk