PUBLIC HEALTH ORDER

Weber-Morgan Health Department
Weber and Morgan Counties, Utah

WHEREAS, on January 21, 2020, the Utah Department of Health ("UDOH") activated its Department of Operations Center in response to the evolving COVID-19 pandemic, recognizing the disease as a threat to the health and safety of the residents of the State of Utah; and

WHEREAS, the UDOH, 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"); 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, on March 6, 2020, Utah Governor Gary R. Herbert issued an executive order declaring a state of emergency due to the COVID-19 outbreak; and

WHEREAS, on March 13, 2020, President Trump declared the outbreak of COVID-19 to be a national emergency, committing federal resources to the states to combat the impacts of the spread of the virus on individuals, public health, and our communities; 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 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, 2020, the UDOH, in coordination with the Governor’s Office and Utah COVID-19 Community Task Force, issued an order to all restaurants, bars, and food service establishments in Utah to suspend dine-in operations and to limit mass gatherings to no more than ten individuals for a period of two weeks; and

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WHEREAS, as of March 17, 2020, the CDC indicates that there are over 179,111 confirmed cases of COVID-19 worldwide with over 4,265 of those cases in the United States, including 51 in Utah, with four confirmed cases in the Weber-Morgan Health District; and

WHEREAS, federal, state, and local health authorities all recognize that confirmed community transmission significantly increases the risk of exposure and infection to the general public within Utah and the United States, which creates an extreme public health risk that may spread quickly; and

WHEREAS, to combat the spread of COVID-19, counties throughout the state, including Weber and Morgan Counties, have declared local emergencies; and

WHEREAS, the Weber-Morgan Health Officer (“Health Officer”) finds the above facts raise the likelihood of widespread community transmission occurring among the general public, and that it is imperative for the Weber-Morgan Health Department (“Health Department”) and the public to work cooperatively and proactively to slow the spread of COVID-19 in order to address any challenges that may arise due to this disease in Weber and Morgan Counties; and

WHEREAS, the Health Officer does hereby find that there is an imminent and proximate threat to public health from the introduction of COVID-19 into Weber and Morgan Counties; and

WHEREAS, Utah Code Ann. § 26A-1-114(1)(e) empowers the Health Department to “close theatres, schools, and other public places and prohibit gatherings of people when necessary to protect the public health;”

NOW, THEREFORE, BE IT HEREBY ORDERED BY THE WEBER-MORGAN HEALTH OFFICER BRIAN BENNION AS FOLLOWS:

Section 1. General Prohibitions. Effective immediately, the following prohibitions shall apply throughout Weber and Morgan Counties:

- Gatherings of more than ten individuals are prohibited.

Section 2. Restaurants, Bars, and Food Service Establishments. Effective at 11:00 pm (MDT) on March 18, 2020:

- All food service, restaurants, self-serve buffets, salad bars, unpackaged self-serve food services, bars, taverns, nightclubs, private liquor clubs, and saloons in Weber and Morgan Counties 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:

- Prohibition of all dine-in food service, whether inside or outside the establishment, and prohibition of admitting members, guests, patrons, and customers inside the establishment except to pick up food for take-out only.

- Curbside take-out, drive-thru food service or pickup service is permitted. Cash payments are strongly discouraged. Staff who accept payment shall use cleansing measures between each transaction, including using any best practices issued by the UDOH or the Health Department. Where possible, online (e.g., Venmo, Squarecash, Googleplay, Applepay, and similar payment apps) and telephonic credit card transactions are encouraged. Staff who handle cash or credit card payments shall not be involved in the preparation, handling, or delivery of food.

- For hotel restaurants, food items may only be delivered as room service delivered to the door or curbside services as described above.

- Third party food services (i.e., Uber Eats, Door Dash, etc.) are required to observe “no contact delivery,” which means these services cannot have person to person contact. All employees of such services must not engage in any delivery services if they present any symptoms of illness.

- Management shall and must ensure on a daily basis that no employee who presents symptoms of illness (e.g., cough, fever, shortness of breath) will be permitted to work.

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

Section 3. Recommendations for All Individuals. Effective immediately.

- All individuals practice good social distancing (six feet) measures.

- All individuals should refrain from visiting nursing care facilities, assisted living facilities, and retirement homes except to provide critical assistance.

- All individuals should avoid discretionary travel, shopping trips (other than shopping for food and other essential), and social visits.
• Individuals over the age of 60 and individuals who are immunocompromised should avoid contact with other individuals.

Section 4. General Protocols for Businesses. Effective immediately, all establishments shall comply with the following regulations:

• Implement social distancing (six feet) measures in all areas, especially communal areas of the establishment.

• Where feasible, employers should encourage their employees to work remotely from home.

• Employees who are sick shall stay at home.

• Staff who have to take cash or credit cards shall use cleansing measures, including best practices issued by the UDOH or Health Department between transactions. Cash transactions are strongly discouraged.

• Management shall and must ensure on a daily basis that no employee that presents symptoms of illness (e.g., cough, fever, shortness of breath) 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 Health Department which advises patrons of COVID-19 protocols.

Section 5. Long-Term Care and Other Care Facilities. Effective immediately, all care facilities shall comply with the following regulations:

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

Section 6. Exceptions. The prohibition of gatherings of more than ten individuals does not apply to grocery stores. Grocery stores are encouraged to remain open to provide necessary food items and other goods.

Section 7. Duration. This Order shall remain in effect through April 1, 2020, unless further extended.
Section 8. Publication. This Order shall be on file for public inspection with the Health Department.

EFFECTIVE DATE: March 18, 2020

WEBER-MORGAN HEALTH DEPARTMENT

[Signature]
Brian Bennion
Weber-Morgan Health Officer

APPROVED AS TO FORM:

[Signature]
Christopher Crockett
Weber County Attorney’s Office
Chief Civil Deputy