

FOURTH AMENDED PUBLIC HEALTH ORDER

RE: ESTES VALLEY LODGING

March 21, 2020

This Public Health Order is issued pursuant to Colo. Rev. Stat. §25-1-506 and other applicable authority.

On March 10, 2020, the Governor of Colorado declared a State of Emergency related to the presence of COVID-19 in the State. The Colorado Department of Public Health and Environment has confirmed that COVID-19 continues to spread throughout the State of Colorado.

On March 13, 2020, Larimer County declared a Local Disaster Emergency related to COVID-19.

On March 13, 2020, the President of the United States declared a National Emergency due to COVID-19.

On March 15, 2020 the Larimer County Public Health Director issued a Public Health Order prohibiting Events of 250 or more people and all Events at Senior Community Centers. The Larimer County Department of Public Health and Environment ("LCDHE") has continued to monitor the situation.

On March 16, 2020, the Colorado Department of Public Health and Environment issued an order closing all bars, restaurants, theaters, gymnasiums and casinos.

On March 17, 2020 the Larimer County Public Health Director issued an order closing all bars, restaurants, theaters and gymnasiums, and restricting Events to 50 people or less.

On March 19, 2020 the Colorado Department of Public Health and Environment issued an order closing Nonessential Personal Service Facilities to the public.

On March 19, 2020, a local emergency was declared for the Town of Estes Park due to COVID-19.





The Larimer County Department of Health and Environment has now confirmed a case of COVID-19 in the Estes Park area.

The age, condition, and health of a significant portion of the population in the Estes Park area, specifically considering that the average age of residents is 55 years old, and because the COVID-19 virus appears to disproportionately affect those of older age, places it at risk of serious health complications, including death, from COVID-19. Although most individuals who contract COVID-19 do not become seriously ill, some persons with mild symptoms and asymptomatic persons with COVID-19 may place other vulnerable members of the public at significant risk. A large surge in the number of persons with serious infections could compromise the capability of the healthcare system.

Visitation brings more people to the community, increases the likelihood of the rapid spread of the virus, and increases the risk to life and health in the Town and surrounding area.

The Larimer County Department of Health and Environment has encouraged the Town to limit visitor services in the Town and discourage visitation, in the memorandum attached as Exhibit A.

The Chief of Staff of Estes Park Health District, the Town's hospital, has also urged the Town to shut down hotels, motels, and vacation rentals to limit the number of tourists into the Town, in the letter attached as Exhibit B.

This Order is adopted pursuant to the legal authority set forth in sections 25-1-506, Colorado Revised Statutes. Under this law, the Larimer County Public Health Director has the duty to investigate and control the causes of epidemic or communicable diseases and conditions affecting public health and to establish, maintain, and enforce isolation and quarantine, and in pursuance thereof, and for this purpose only, to exercise physical control over property and over the persons of the people within the jurisdiction of the agency as the agency may find necessary for the protection of the public health, and to close public places and to prohibit gatherings of people when necessary to protect public health.

ORDER:

Order issued at noon on March 21, 2020,

Section 1: All short-term lodging in the Estes Valley shall cease operations and vacate the premises of guests on March 23, 2020 at noon. The Estes Valley is defined by the Estes Valley Development Code and as illustrated as shown in the map attached as Exhibit C.



Section 2: Short-term lodging shall include, but not be limited to, high-intensity and low-intensity accommodations, accommodations units, hotel/motels, vacation homes, hostels, resort lodge/cabins, recreational vehicle park/campgrounds, and bed and breakfast inns. This definition is intended to be interpreted broadly, and the terms listed above shall include but not be limited to their definitions in the Estes Park Municipal Code, Estes Valley Development Code, and Estes Park Development Code.

Section 3: Exceptions to this Order include: local workers; individuals experiencing symptoms of illness, or under an isolation or quarantine order from the Larimer County Department of Health and Environment; long term residents (more than 30 days) of short term rental facilities, those who can demonstrate other good cause or emergency reasons why it is imperative and unavoidable that they must remain at the site for lodging.

Section 4: There shall be no new bookings or reservations at short-term lodging during the pendency of this order. Furthermore, current reservations through April 17, 2020 shall be cancelled.

Section 5: This order shall be effective at noon, March 21, 2020, and shall remain in effect until April 17, 2020.

IV. FURTHER GUIDANCE

Further guidelines for social distance are available at www.larimer.org/health

V. GENERAL INFORMATION FOR ALL PERSONS AFFECTED BY THIS ORDER

LCDHE is tasked with protecting the health and welfare of the citizens of Larimer County, Colorado by investigating and controlling the causes of epidemic and communicable disease. This Order is necessary to control any potential transmission of disease to others. Immediate issuance of this Order is necessary for the preservation of public health, safety, or welfare.

Any person aggrieved and affected by this Order has the right to request judicial review; an action with the Larimer County District Court within 90 days of the date of this Order, pursuant to section 25-1-515, Colorado Revised Statutes. However, you must continue to obey the terms of this Order while your request for review is pending.



This Order takes effect at 12 p.m on March 23, 2020 and remains in effect for until April 17, 2020, unless otherwise extended in writing.

LCDHE is tasked with protecting the health and welfare of the citizens of Larimer County, Colorado by investigating and controlling the causes of epidemic and communicable disease. This Order is necessary to control any potential transmission of disease to others. See sections 25-1-506. Immediate issuance of this Order is necessary for the preservation of public health, safety, or welfare.

FAILURE TO COMPLY WITH THIS ORDER IS SUBJECT TO THE PENALTIES CONTAINED IN SECTIONS 25-1-516 AND 18-1.3-501, COLORADO REVISED STATUTES, INCLUDING A FINE OF UP TO FIVE THOUSAND (5,000) DOLLARS AND IMPRISONMENT IN THE COUNTY JAIL FOR UP TO EIGHTEEN MONTHS OR OTHER REMEDY AVAILABLE AT LAW.

A handwritten signature in black ink, appearing to read "Tom Gonzales", written over a horizontal line.

Tom Gonzales, MPH
Larimer County Health Director

MEMORANDUM

TO: Travis Machalek

FROM: Tom Gonzales, MPH, Larimer County Public Health Director

DATE: March 19, 2019

RE: COVID-19 Recommendations for Estes Park

We now have a confirmed case in Estes Park. I urge the Town to limit access to visitor services and encourage visitors to not travel through Larimer County and up to Estes Park. The Public Health Order strictly prohibits any gathering of 10 or people, and further urges susceptible people (60 or great underlying health conditions) maintain 6 feet from people.

As COVID-19 moves through the country and across Colorado, we expect to continue to have cases in Larimer County. Testing is limited and results are delayed, so we assume that we have far more positive cases in our community than the data shows.



Tom Gonzales, MPH
Public Health Director



ESTES PARK HEALTH

To Estes Park Town Administrator Travis Machalek, Mayor Jirsa, and the Town Board of Trustees,

Although Rocky Mountain National is vast, the Town of Estes Park itself is small and health care resources are limited. We are using our available resources to take care of the health care needs of the Estes Valley Community, 65% of which are over age 65 and are at risk for COVID-19. We're also prioritizing the health care needs of our Estes Park Health staff.

I am urging people not to visit Estes Park. The best thing any of us can do is stay at home. I do not think this is the time to encourage people to take cross-country road trips, even though the National Parks are free right now.

This statement comes in response to the CDCs "15 Days to Slow the Spread" campaign. "The CDC encourages everyone to **AVOID discretionary travel**, shopping trips and social visits."

Similarly, the Center for Disease Control updated its guidelines recently to recommend all events with more than 10 attendees be cancelled or postponed for the next eight weeks. Although visiting national parks like Rocky Mountain National Park doesn't require directly interacting with many people, the people that go there pass through our town in great numbers.

My strong concern is that the encouragement to visit National Parks for free, including Rocky Mountain National Park could significantly increase the uptick of this viral illness in our community. I urge the Federal Government to change their stance and to shut down National Parks, including Rocky Mountain National Park. The downstream effects of flooding this town with tourists is not something that Estes Park Health, or any small hospitals in this country, are prepared to handle at this time.

We need to focus on the citizens of the Estes Park Valley and Estes Park Health, first and foremost. Estes Park Health is currently dealing with the health care needs of our community. Believe me, I am all for getting outside during these times, but the spread of the virus unwittingly by allowing free national park tourism will inevitably lead to the unwanted taxing of Estes Park Health resources.

In addition to urging Rocky Mountain National Park to shut down, I also urge Larimer County and/or the Town of Estes Park to shut down non-essential services including hotels, motels, and vacation rentals to limit the number of tourists into our town.

Estes Park Health has established a COVID-19 Hotline: 970-577-4400 to answer our community's questions and concerns. Eph.org also has a landing page with community information and resources from our trusted resources at the CDC, Colorado Department of Public Health & Environment and Larimer County Department of Health & Environment.

Thank You for Listening and Stay Safe,

John Meyer, MD

Chief of Staff at Estes Park Health

Emergency Department Director at Estes Park Health

Urgent Care Director at Estes Park Health

Estes Valley Development Code Boundary Map



Map Legend

- Town of Estes Park
- Unincorporated Larimer County
- Public Lands: RMNP & USFS

