

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
BASALT, COLORADO, ADOPTING AN AMENDED PUBLIC HEALTH
ORDER REGARDING FACE COVERINGS**

**Town of Basalt, Colorado
Resolution No. 24
Series of 2020**

WHEREAS, the World Health Organization declared the 2019 Novel Coronavirus/ COVID-19 disease ("COVID-19") a Global Pandemic;

WHEREAS, the President of the United States of America declared a National State of Emergency relating to the COVID-19 pandemic;

WHEREAS, the Governor of the State of Colorado declared a statewide emergency regarding the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from COVID-19;

WHEREAS, pursuant to C.R.S. § 24-33.5-709 and by Resolution No. 6, 2020, the Town Council declared a local disaster emergency in relation to COVID-19 outbreak, which granted the Town Manager certain emergency powers;

WHEREAS, the Centers for Disease Control and Prevention ("CDC"), Colorado Department of Public Health and Environment ("CDPHE"), Public Health Departments for Eagle County and Pitkin County, and various public health officials all strongly recommend wearing face coverings to prevent the spread of COVID-19 based on the scientific data available to them;

WHEREAS, Eagle County and Pitkin County have each issued Standing Public Health Orders, including variances from the CDPHE Orders;

WHEREAS, the Town has the authority to adopt emergency regulations and orders under the broad grant of police power reflected in Title 31, including but not limited to "...to do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease." C.R.S. § 31-15-401(1)(b);

WHEREAS, unlike other aspects of county police powers that extend only to unincorporated areas, the Public Health Departments of Eagle County and Pitkin County jurisdiction and authority extends to within the boundaries of the Town of Basalt;

WHEREAS, home-rule municipalities have the authority to adopt and impose public health measures to supplement the State and County orders;

WHEREAS, by Resolution No. 14, Series of 2020, the Town Council approved public health order requiring that face coverings be worn in certain instances, which was then extended by Resolution No. 17, Series of 2020, and is now set to expire on June 23, 2020, unless extended by Council;

WHEREAS, the Town Council wishes to require face coverings to be worn and extend the public health order requiring face coverings to until such time as revoked by Council or if the Town's local disaster emergency declaration is terminated, as set forth herein; and

WHEREAS, the Town Council finds this action is immediately necessary to preserve the life, health, and safety of the Town and its residents.

NOW, THEREFORE, IT IS RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, THAT:

Section 1. Recitals. The foregoing recitals are hereby incorporated as findings of the Town Council.

Section 2. Public Health Order – Face Coverings. The Town Council hereby issues the following Public Health Order:

A. Definitions.

"Face Covering" shall mean a uniform piece of material that securely covers a person's nose and mouth and remains affixed in place without the use of one's hands.

B. Face Coverings Required. All persons shall wear Face Coverings:

1. When entering and while inside the areas of a place of business open to the public.
2. In such other public indoor or outdoor places where persons are unable to maintain safe social distancing (e.g. six or more feet separation) from others not of their own household, except for momentary circumstances to accept payment, deliver goods, walk or ride past another person, or perform otherwise necessary tasks.

Places of business open to the public shall not permit entry by persons not in compliance with this Public Health Order.

C. Exceptions. The following persons are not required to wear Face Coverings under this Public Health Order:

1. Persons under the age of two years;
2. Persons for whom a face covering would cause impairment due to an existing health condition; and
3. Persons working in a professional office who do not have any face-to-face interactions with the public.

4. Persons seated at a table at a restaurant and otherwise complying with the Eagle County Variance(s), Pitkin County Variance(s), or State regulations related to restaurants, as applicable.

5. Persons exercising in a gym or fitness center when wearing a face covering is not physically possible.

6. Persons exempted under a special event activity permit issued by the Town, such as performers or event participants.

D. General Information for all Persons. Pursuant to CDC guidance, the public is strongly encouraged to wear Face Coverings that:

1. Fit snugly but comfortably against the side of the face;

2. Are secured with ties or ear loops;

3. Include multiple layers of fabric;

4. Allow for breathing without restriction; and

5. Are able to be laundered and machine dried without damage or change to shape.

Information on making such masks can be found at:

<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>

E. Implementation and Clarifications on Order. The Town Manager is hereby authorized to enter administrative orders to further implement and clarify this Public Health Order.

F. Effective Date; Termination. This Public Health Order will become effective upon adoption by Town Council and shall remain in effect until 11:59 P.M. on July 28, 2020, unless extended by Town Council.

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

H. Penalties. Failure to comply with this Order is subject to the penalties contained in Section 1-82 of the Basalt Municipal Code. In the event of a citation, the fine for the first offense shall not exceed \$50 and the fine for the second offense shall not exceed \$200.

Section 3. If any section, subsection, clause, phrase, or provision of this Resolution, or the application thereof to any person or circumstance shall to any extent be held by a

court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Resolution, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

READ AND ADOPTED by a vote of 6 to 0 this 23rd day of June, 2020.

TOWN OF BASALT, COLORADO



William G. Kane, Mayor

ATTEST:



Pamela K. Schilling, Town Clerk





Coronavirus Disease 2019

Recommendation Regarding the Use of Cloth Face Coverings, Especially in Areas of Significant Community-Based Transmission



Use of Cloth Face Coverings to Help Slow the Spread of COVID-19

CDC continues to study the spread and effects of the novel coronavirus across the United States. We now know from recent studies that a significant portion of individuals with coronavirus lack symptoms ("asymptomatic") and that even those who eventually develop symptoms ("pre-symptomatic") can transmit the virus to others before showing symptoms. This means that the virus can spread between people interacting in close proximity—for example, speaking, coughing, or sneezing—even if those people are not exhibiting symptoms. In light of this new evidence, CDC recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies) **especially** in areas of significant community-based transmission.

It is critical to emphasize that maintaining 6-foot social distancing remains important to slowing the spread of the virus. CDC is additionally advising the use of simple cloth face coverings to slow the spread of the virus and help people who may have the virus and do not know it from transmitting it to others. Cloth face coverings fashioned from household items or made at home from common materials at low cost can be used as an additional, voluntary public health measure.

The cloth face coverings recommended are not surgical masks or N-95 respirators. Those are critical supplies that must continue to be reserved for healthcare workers and other medical first responders, as recommended by current CDC guidance.

How to Make Your own Face Covering

Recent Studies:

- Rothe C, Schunk M, Sothmann P, et al. Transmission of 2019-nCoV Infection from an Asymptomatic Contact in Germany. *The New England journal of medicine*. 2020;382(10):970-971.
- Zou L, Ruan F, Huang M, et al. SARS-CoV-2 Viral Load in Upper Respiratory Specimens of Infected Patients. *The New England journal of medicine*. 2020;382(12):1177-1179.
- Pan X, Chen D, Xia Y, et al. Asymptomatic cases in a family cluster with SARS-CoV-2 infection. *The Lancet Infectious diseases*. 2020.
- Bai Y, Yao L, Wei T, et al. Presumed Asymptomatic Carrier Transmission of COVID-19. *Jama*. 2020.
- Kimball A HK, Arons M, et al. Asymptomatic and Presymptomatic SARS-CoV-2 Infections in Residents of a Long-Term Care Skilled Nursing Facility — King County, Washington, March 2020. *MMWR Morbidity and mortality weekly report*. 2020; ePub: 27 March 2020.
- Wei WE LZ, Chiew CJ, Yong SE, Toh MP, Lee VJ. Presymptomatic Transmission of SARS-CoV-2 — Singapore, January 23–March 16, 2020. *MMWR Morbidity and mortality weekly report*. 2020; ePub: 1 April 2020.

- Li R, Pei S, Chen B, et al. Substantial undocumented infection facilitates the rapid dissemination of novel coronavirus (SARS-CoV2). *Science* (New York, NY). 2020.

Page last reviewed: April 3, 2020



Coronavirus Disease 2019

Cloth Face Coverings: Questions and Answers

This document is intended to address frequently asked questions about cloth face coverings.

Why do you need to wear cloth face coverings?

In light of new data about how COVID-19 spreads, along with evidence of widespread COVID-19 illness in communities across the country, CDC recommends that people wear a **cloth face covering** to cover their nose and mouth in the community setting. This is to protect people around you if you are infected but do not have symptoms.

When do you need to wear a cloth face covering?

A cloth face covering should be worn whenever people are in a community setting, especially in situations where you may be near people. These settings include grocery stores and pharmacies. These face coverings are not a substitute for social distancing. Cloth face coverings are especially important to wear in public in areas of widespread COVID-19 illness.

Do I still need to stay at least 6 feet away from people if wearing a cloth face covering?

Yes. Wearing cloth face coverings is an additional public health measure people should take to reduce the spread of COVID-19. CDC still recommends that you stay at least 6 feet away from other people (social distancing), frequent hand cleaning and other everyday preventive actions. A cloth face covering is not intended to protect the wearer, but it may prevent the spread of virus from the wearer to others. This would be especially important if someone is infected but does not have symptoms. View CDC's guidance on [how to protect yourself](#).

What type of cloth face covering should be worn?

Cloth face coverings can be made from household items or made at home from common materials at low cost.

Who should not wear cloth face coverings?


Cloth face coverings should not be placed on young children younger than 2 years of age, anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance.

Why is CDC recommending cloth face coverings instead of medical grade facemasks?

Surgical masks and N95 respirators are in short supply and should be reserved for healthcare workers or other medical first responders, as recommended by CDC guidance.

Face Covering Do's and Don'ts:

DO:



- ✓ Make sure you can breathe through it
- ✓ Wear it whenever going out in public
- ✓ Make sure it covers your nose and mouth
- ✓ Wash after using

DON'T:

- ✗ Use if under two years old
- ✗ Use surgical masks or other PPE intended for healthcare workers



cdc.gov/coronavirus

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How to Safely Wear and Take Off a Cloth Face Covering 

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