

**EMERGENCY ORDER REQUIRING FACE COVERINGS
IN THE TOWN OF VAIL**

WHEREAS, on March 13, 2020, the Town Manager executed an order declaring a local disaster emergency pursuant to the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.*, and Section 13.5 of the Town's Home Rule Charter;

WHEREAS, the emergency conditions caused by the COVID-19 pandemic, as defined by C.R.S. § 24-33.5-702 and the Charter, persist and require additional and sustained action by the Town;

WHEREAS, pursuant to State and Local Public Health Orders, businesses have been allowed to open to the public under strict guidelines for the health and safety of the public;

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

WHEREAS, on November 3, 2020, Eagle County issued a Standing Public Health Order adopting Colorado's Statewide Covid-19 Dial Dashboard, requiring all individuals over the age of 2 years to wear face coverings when entering and inside any place of business, event, or public indoor environment;

WHEREAS, in addition, Colorado's Statewide Public Health Order and Eagle County's Public Health Order both recommend the wearing of face coverings in outdoor public spaces in which 6 feet of physical distance from non-household members cannot be maintained over a period of 15 minutes or longer;

WHEREAS, the failure of individuals and businesses to comply with public health guidelines can jeopardize the health of the community as a whole and could require the reinstatement of stay at home orders and the re-closing of all businesses leading to devastating economic impacts;

WHEREAS, pursuant to Section 13.5 of the Town's Home Rule Charter, in case of emergency, the Town Manager may assume the authority to execute any action necessary for the protection of life and property, including establishing regulations governing conduct and activities related to the cause of the emergency; and

WHEREAS, the Town Manager finds it in the best interest of the public health, safety and welfare to adopt establish a Mandatory Face Covering Area in which face coverings shall be mandated at all times in all public indoor and outdoor places, as defined herein, unless one of the exceptions is met.

NOW, THEREFORE, IT IS HEREBY ORDERED, on this 4th day of November, 2020, that the following shall take effect in the Town of Vail, Colorado on November 7, 2020 at 7:00 a.m.:

Section 1. Definitions. As used in this Order, the following terms shall have the following meanings:

Face Covering means 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.

Mandatory Face Covering Area means any outdoor public place located within the boundaries of that zone depicted on the map attached hereto and incorporated herein by this reference, which map may be amended by the Town Manager.

Outdoor Public Place means an outdoor area to which the public or a substantial number of the public has access, including without limitation a street, sidewalk, public alley, public parking lot, park, playground, and common areas of public and private buildings and facilities.

Section 2. Face Covering Required. Except as provided in Section 3, below, every person shall wear a Face Covering in the:

- A. When entering and while inside of a place of business open to the public in the Mandatory Face Covering Area;
- B. While in an Outdoor Public Place in the Mandatory Face Covering Area; and
- C. In such other public indoor or outdoor places outside of the Mandatory Face Covering Area where such person is unable to maintain safe social distancing (6 feet or more of separation) from others not of the person's own household.

Section 3. Exceptions. Nothing in this order shall be interpreted or construed to require the wearing of Face Coverings by the following persons:

- A. Persons 2 years of age or younger; and
- B. Persons for whom a face covering would cause impairment due to an existing health condition;
- C. Persons working in a professional office who do not have any face-to-face interactions with the public;
- D. Public safety personnel in the performance of their duties;
- E. Persons while eating or drinking; and
- F. Performers as long as 25 feet of distance from spectators is maintained.

IT IS FURTHER ORDERED that this Order shall be given prompt and general publicity, filed immediately with the Town Clerk, and a copy of it shall be sent to the Eagle County Clerk and Recorder as well as to the Colorado Office of Emergency Management.

Scott Robson

Scott Robson, Town Manager

ATTEST:

Tammy Nagel

Tammy Nagel, Town Clerk

