

**EMERGENCY ORDER REQUIRING FACE COVERINGS
IN TOWN BUILDINGS 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, according to the federal Centers for Disease Control ("CDC"), COVID-19 continues to pose a serious risk, especially to children and adults who are not fully vaccinated, and certain safety measures remain necessary to protect against COVID-19 cases and deaths;

WHEREAS, vaccinations have now been made readily available to virtually all individuals over the age of 12 and vaccinations are the most effective way to prevent transmission and limit COVID-19 hospitalizations and deaths;

WHEREAS, there has been a recent surge of Delta variant COVID-19 cases in the Town and nationwide, along with epidemiological evidence that shows that unvaccinated individuals fuel increased rates of community transmission;

WHEREAS, the purpose of this Order is to continue to create a safe and comfortable work environment for Town employees and additionally protect the community from COVID-19;

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 this Order.

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.

Proof of Vaccination means any of the following: a COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services Centers for Disease Control & Prevention or WHO Yellow Card) which includes name of person vaccinated, type of vaccine provided and date last dose administered); a photo of a Vaccination Record Card as a separate document; a photo of the employee's Vaccination Record Card stored on a phone or electronic device; documentation of COVID-19 vaccination

from a health care provider (with no other medical history included); or a digital record such as the myColorado app, or My Vaccine Record.

Section 2. Face Covering Required. Except as provided in Section 3 below, effective on August 23, 2021, and continuing until repealed by future order, the following shall apply:

- a. Every person shall wear a Face Covering while in any of the following locations: Town Hall; the Vail Public Library; the Community Development Department; any Welcome Centers; the Fire Departments; Police Department; the Department of Public Works; and all town buses.
- b. Town employees shall wear a Face Covering while inside any of the above-described locations and while in any Town vehicle with another person.

Section 3. Exemptions. 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;
- b. Persons for whom a face covering would cause impairment due to an existing health condition;
- c. Town employees working in an office with a closed door, or
- d. Any current Town employee including Town Council and members of boards and commissions of the Town who uploads proof of vaccination using the electronic Vaccination Status Form made available by the Human Resources Department.

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, Town Manager

ATTEST:



Tammy Nagel, Town Clerk

