



151 North Main Street  
Tooele, UT 84074  
Office (435)277-2460  
FAX (435)277-2464  
[www.tooelehealth.org](http://www.tooelehealth.org)



## PUBLIC HEALTH ORDER

### Tooele County Health Department Tooele County

**WHEREAS**, 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 R. Herbert dismissed all Utah public schools until May 1, 2020 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 16, 2020, Tooele County Made a Declaration of Local Emergency related to the COVID-19 pandemic. The Tooele County Emergency Operations Center was put into partial activation.

**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

**WHEREAS**, as of March 27, 2020, the CDC indicates that there are over 595,800 confirmed cases of COVID-19 worldwide with over 103,942 of those cases in the United States, including 480 in Utah, with 5 confirmed cases in the Tooele County 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**, as of March 27, 2020, Governor Gary R. Herbert, Issued a Directive to the State of Utah, "STAY SAFE, STAY HOME".

**WHEREAS**, to combat the spread of COVID-19, counties throughout the state, including Tooele County have declared local emergencies; and

**WHEREAS**, Tooele County Health Officer Jeff Coombs finds the above facts raise the likelihood of widespread community transmission occurring among the general public, and that it is imperative for the Tooele County 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 Tooele County; and

**WHEREAS**, the Health Officer does hereby find that there is an imminent and proximate threat to public health from the spread of COVID-19 in Tooele County; 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 TOOELE COUNTY HEALTH OFFICER JEFF COOMBS AS FOLLOWS:**

**Section 1. General Prohibitions.** Effective immediately, the following prohibitions shall apply throughout Tooele County:

- Gathering of more than ten individuals are prohibited.

**Section 2. Restaurants, Bars, and Food Service Establishments.** Effective at 11:59pm (MDT) on March 31st, 2020:

- All food service, restaurants, self-serve buffets, salad bars, unpackaged self-serve food services, bars, taverns, nightclubs, private liquor clubs, and saloons in Tooele County 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 pay for, or to pick up food for take-out only.
- Any gatherings or line formation in or around restaurants must adhere to the standards set forth in this order.
- Establishments that can take and receive orders via online means or over the phone are strongly encouraged to do so.
- Curbside take-out, drive-thru food services 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, Square Cash, Google Pay, Apple Pay, and similar payment apps) and telephonic credit card transactions are encouraged. (URL link to best practices)
- 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, and at the beginning of each shift, that no employee who presents symptoms of illness (e.g., cough, fever, shortness of breath) will be permitted to work.

- This order does not restrict convenience stores from selling a pre-packaged hot or cold food item or a self-serve drink. A convenience store that chooses to sell a hot food item or a self-serve drink shall cleanse high-touch surface areas using any best practices issued by the Health Department. However, gatherings or line formation in or around convenience stores must adhere to the standards set forth in this order. (URL link to best practices).

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

**Section 3. Closures**, Effective at 11:59pm (MDT) on March 31st, 2020: Due to close personal contact and high risk of Spreading COVID-19 the following facilities and venues are closed:

- **Places of public amusement and activity.** Whether indoors or outdoors, including licensed public and private swimming pools, splash pads, float spas, museums, arcades, fairs, children’s play centers, public playgrounds, bowling alleys, movie and other theatres, concert and music halls or venues, recreations centers, social clubs, gyms and fitness centers, and martial art studios.
- **Salons and Spas.** This includes but is not limited to, hair salons, barber shops, nails salons, day spas, electrolysis providers, waxing salons, eyebrow threading shops, tattoo parlors, body art establishments, and tanning facilities.

**Section 4. 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. (The Governor’s directive allows some exemptions for necessary services, see “Exemptions for individuals.”)
- All individuals should avoid discretionary travel, shopping trips (other than shopping for food and other essentials), and social visits. (The Governor’s directive allows for driving for pleasure, fishing and hunting” – see the section on Recreation and Outdoor Activities).
- Individuals over the age of 60 and individuals who are immunocompromised should avoid contact with other individuals.

**Section 5. General Protocols for Businesses.** Effective immediately, all establishments shall comply with the following regulations:

- Effective Immediately, active measures must be employed at ANY PLACE OF PUBLIC ACCESS to reduce gatherings of individuals and line formation. Active measures must be employed by management to avoid the formation of gatherings of individuals including line formation where possible. Where gatherings cannot be avoided, active measures must be employed by management to form an orderly line that maintains a physical distance of at least 6 feet between individuals
- 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 Health Department between transactions. Cash transactions are strongly discouraged.
- Management shall 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.

**Section 6. 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, and with current Utah Department of Health Criteria.

**Section 7. 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 8. Duration.** This Order shall remain in effect through April 30, 2020, unless further extended.

**Section 9. Publication.** This Order shall be on file for public inspection with the Tooele County Health Department.

EFFECTIVE DATE: April 1, 2020

TOOELE COUNTY HEALTH DEPARTMENT

  
\_\_\_\_\_  
Jeff Coombs  
Tooele County Health Officer

  
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Mayor Brent Marshall  
Tooele County Board of Health Chair

  
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Tom Tripp,  
Tooele County Commission Chair

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Scott Broadhead  
Tooele County Attorney's Office