

PARK COUNTY PUBLIC HEALTH VARIANCE ORDER # 1

**VARIANCE ORDER TO LESSEN RESTRICTIONS FOR RESTAURANTS
UNDER STATEWIDE ORDER #1**

WHEREAS, Aaron R. Billin, MD serves as the Park County Health Officer pursuant to Wyoming Statute § 35-1-306(a); and

WHEREAS, Wyoming Statute § 35-1-240(a)(i), (ii) and (iv) gives the power to the Wyoming Department of Health, through the State Health Officer, or under her direction and supervision, or through the other employees of the Wyoming Department of Health to control the causes of communicable disease; to close theaters, schools, and other public places; and to forbid gatherings of people when necessary to protect public health; and

WHEREAS, as evidenced by her signature below, Alexia Harrist, MD, Ph.D., the Wyoming State Health Officer, has reviewed and does hereby authorize the issuance of this Variance Order by Dr. Aaron R. Billin, the Park County Health Officer, and the State Health Officer, Dr. Alexia Harrist, also specifically makes the finding that this Order is appropriate; and

WHEREAS, the State Health Officer has issued Statewide Order #1 dealing with closures; and

WHEREAS, Statewide Order #1 is specifically titled: *Third Continuation and Modification, of Statewide Public Health Order Closing Bars, Restaurants, Theaters, Gymnasiums, Child Care Facilities, K-12 Schools, Colleges, Universities, and Trade Schools Statewide*. Statewide Order #1 originally was to expire on April 3, 2020, however, it was extended by the First Continuation Order to April 17, 2020. The Second Continuation Order extended Statewide Order #1 to April 30, 2020. The Third Continuation Order now extends the closures until May 15, 2020, and allows for a County Health Officer to request a less restrictive or more restrictive variance to the order; and

WHEREAS, COVID-19 was first detected in Wuhan, China in 2019, and since then has spread to over 60 countries including the United States.; and

WHEREAS, COVID-19 is a respiratory illness, transmitted through person-to-person contact or by contact with surfaces contaminated with the virus. Persons infected with COVID-19 may become symptomatic two to fourteen days after exposure. The symptoms of COVID-19 include fever, cough, and shortness of breath. In some cases, COVID-19 can result in severe disease including hospitalization, admission to an intensive care unit, and death; and

WHEREAS, the World Health Organization declared COVID-19 a worldwide pandemic as of March 11, 2020; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency concerning the coronavirus, specifically stating that, in “December 2019 a novel (new) coronavirus known as SARS-Co V-2 (“the virus”) was first detected in Wuhan, Hubei Province, People’s Republic of China, causing outbreaks of the coronavirus disease (COVID-19) that has now spread globally [...] The spread of COVID-19 within our Nation’s communities threatens to strain our Nation’s healthcare systems [...] Additional measures [...] are needed to successfully contain and combat the virus in the United States;” and

WHEREAS, on March 13, 2020, Wyoming Governor Mark Gordon declared a State of Emergency and Public Health Emergency in the State of Wyoming, and the State of Wyoming is experiencing a public health emergency in response to the evolving COVID-19 outbreak; and

WHEREAS, in addition to the above findings, stopping the spread of COVID-19 includes washing hands often, practicing physical distancing by avoiding close contact with others, staying at least six feet away from someone who is ill or showing signs of illness, avoiding touching your faces, eyes, nose, and mouth, covering your cough or sneeze into your elbow or by using a tissue, and wearing a face covering in public; and

WHEREAS, the Wyoming Department of Health has issued data-driven decision-making metrics to inform public health orders that include the following: Number of positive cases, Percent of cases attributed to community spread, Percent of total tests that are positive, Total reported COVID-19 hospitalizations, Total reported hospital bed capacity, Total ICU bed availability, Daily COVID-19 testing volume, Testing capacity, PPE supplies; and COVID-19 outbreaks in communal settings; and

WHEREAS, as of April 29, 2020, the number of lab-confirmed positive cases in Park County is 1 with 1 lab-confirmed recovered case, and 0 deaths. The only positive case was six (6) weeks ago. Thus, there are presently 0 active lab-confirmed cases in Park County; and

WHEREAS, as of April 29, 2020, the COVID-19 test positivity rate in Park County is 0.3%, showing that there is much less community transmission of COVID-19 than in many other counties.

NOW, THEREFORE, IT IS HEREBY ORDERED, that residents of Park County, Wyoming shall comply with the *Statewide Order #1 (Third Continuation and Modification, of Statewide Public Health Order Closing Bars, Restaurants, Theaters,*

Gymnasiums, Child Care Facilities, K-12 Schools, Colleges, Universities, and Trade Schools Statewide) with the following exception:

1. Paragraph 2 on Page 3 shall be modified as follows: All restaurants shall be allowed to provide outdoor seating as weather permits. All staff will be verbally screened at the beginning of each shift for symptoms of COVID-19 or exposure to a confirmed case of COVID-19. All tables shall be placed six (6) feet apart. Restaurants shall only be able to seat 6 people at each table, preferably of the same household. Wait staff will be required to wear face coverings. Disposable menus shall be used. Staff will wear disposable gloves when handling any items while serving food or clearing tables. Gloves will be changed before going to another table. Disposable plates, cups, and utensils are strongly encouraged. Electronic transactions are also encouraged. Compliance will be the responsibility of the restaurant owner and their staff.

IT IS FURTHER ORDERED, that any person or legal entity that violates this Order shall be subject to criminal prosecution under Wyoming Statutes § 35-1-105 and 35-1-106.

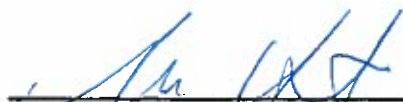
DATED THIS 1 DAY OF May, 2020.



Aaron R. Billin, MD
Park County Health Officer

Direction to Issue Order

I, Alexia Harrist, MD, Ph.D., the Wyoming State Health Officer, hereby state that I have reviewed the above Order and hereby direct, pursuant to Wyoming Statutes §§ 35-1-227 and 35-1-240(a)(i) (ii) and (iv), the Park County Health Officer to issue the above Variance Order, in Park County, Wyoming. As the State Health Officer, I specifically find that this Order is appropriate for the protection of public health. I will reassess the effect of this Order as appropriate to do so and according to accepted epidemiological and medical standards.



Alexia Harrist, MD, PhD
Wyoming State Health Officer