

Updated May 1, 2020

PUBLIC HEALTH DIRECTIVE & ORDER

**Davis County Board of Health
Davis County, Utah**

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, Donald J. Trump, President of the United States, issued the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, the Davis County Health Department Director does hereby find that there is an imminent and proximate threat to public health due to COVID-19 circulating in Davis County; and

WHEREAS, Utah Governor, Gary R. Herbert issued an Executive Order on April 29, 2020 moving the State COVID-19 Public Health Risk Status from Red (High Risk) to Orange (Moderate Risk) beginning at 12:01 a.m. on May 1, 2020, to remain in effect until 11:59 p.m. on May 15, 2020, and ordering individuals and businesses to comply with the orange (Moderate Risk) provisions of the Phased Guidelines.

THEREFORE, PURSUANT TO UTAH CODE §26A-1-114, BE IT HEREBY ORDERED BY THE DAVIS COUNTY HEALTH DEPARTMENT DIRECTOR BRIAN HATCH, THE FOLLOWING:

Section 1. Isolation and Quarantine.

- a. Isolation or quarantine notices issued pursuant to Utah Code Title 26A-1-114, means any verbal or written order from the Davis County Health Department regarding an individual who tests positive for COVID-19 or who is exposed to an individual who tests positive for COVID-19.
- b. The following individuals shall comply with a isolation or quarantine notice:
 - i. an individual who tests positive for COVID-19;
 - ii. an individual who is exposed to an individual who tests positive for COVID-19; and
 - iii. an individual who is a member of the same household or residence of an individual who tests positive for COVID-19.

- c. In some situations, an individual deemed a critical infrastructure worker in accordance with the March 28, 2020 CISA guidance,¹ may be unable to comply with the Order requirements, due to the essential functions that he or she provides and are therefore exempt from enforcement.

Section 2. Individuals and Businesses.

- a. All Davis County residents, businesses and community organizations shall comply with the Orange (Moderate Risk) provisions of the State of Utah’s Economic Response Task Force’s Phased Guidelines for the General Public and Businesses to Maximize Public Health and Economic Reactivation² as ordered by the Honorable Governor Gary R. Herbert’s Executive Order³ dated April 29, 2020.
- b. Any entity desiring an exception to the Governor’s Executive Order³ of the Phased Guidelines shall submit a written request and justification for the request through the Davis County Health Department to the Utah Department of Health. The Utah Department of Health shall consult with the Office of the Governor as necessary.

Section 3. Duration. This Order rescinds all prior Davis County Public Health Orders related to COVID-19, is effective beginning at 12:01 a.m. on May 1, 2020 and will remain in effect until 11:59 p.m. on May 15, 2020, unless otherwise lawfully modified, amended, rescinded, superseded, or further extended.

Section 4. Publication. This Order shall be on file for public inspection with the Davis County Health Department.

Section 5. Enforcement. The purpose of this Order is to protect individual’s health, not to hold anyone criminally liable. Residents and businesses are required to comply with the Order. Education is the first option to achieve compliance.

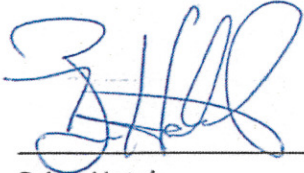
State law prescribes civil penalties for violations of local public health orders. In addition, State law outlines potential criminal penalties for intentional, knowing or reckless violations of a local public health order. While penalties outlined by state code classify the offense as a misdemeanor (Class B for the initial offense, Class A for repeat offenses), Davis County has encouraged local municipalities to use verbal warnings and education when the need to enforce a violation of this Order arises, when possible. However, in the event of a repeat or egregious offender, or when deemed critical to gain compliance for public health, civil or criminal charges may be used as per UCA 26A-1-123(5) and 76-2-102. Class A and Class B misdemeanors are punishable pursuant to UCA 76-3-204 and 76-3-301.

¹ See <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>

² See <https://coronavirus-download.utah.gov/Health/Phased%20Health%20Guidelines%20V4.0.pdf>

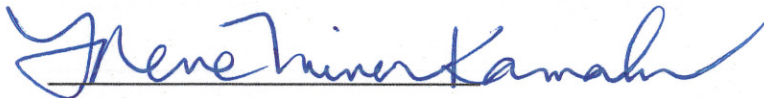
³ See <https://coronavirus-download.utah.gov/Governor/Executive%20Order%20Moving%20from%20Red%20To%20Orange.pdf>

DAVIS COUNTY HEALTH DEPARTMENT

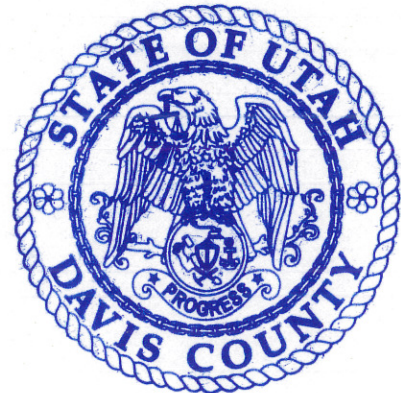


Brian Hatch
Davis County Health Officer

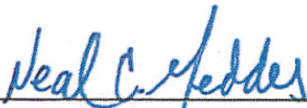
DAVIS COUNTY COMMISSION



Lorene M. Kamalu
Chair, Board of Davis County Commissioners



APPROVED AS TO FORM:



Neal C. Geddes
Davis County Attorney's Office
Chief Civil Deputy