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 Book 1162 Page(s) 1025-1027
 3/18/2020 2:34 PM DECLARATION
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 Patricia M. Vigil COUNTY RECORDER
 Filed for Record in LAS ANIMAS CO



LAS ANIMAS COUNTY COLORADO

DECLARING A LOCAL DISASTER EMERGENCY

COVID-19 (Coronavirus Disease 2019)

FINDINGS AND CONCLUSIONS:

- A. Novel Coronavirus (resulting in the disease COVID-19) is a highly contagious virus that originated in China and has since spread to numerous countries around the world, including the United States.
- B. COVID-19 can be a serious illness leading to severe complications and even the risk of death in the elderly or those with underlying health issues or compromised immune systems.
- C. On January 30, 2020, the World Health Organization ("WHO") declared the worldwide outbreak of COVID-19 a "public health emergency of international concern." On January 31, 2020, the United States Department of Health and Human Services declared the virus a public health emergency. On March 11, 2020, WHO declared COVID-19 a pandemic, pointing to the sustained risk of further global spread. On March 11, 2020, the Governor of Colorado memorialized a verbal order from the previous day declaring that the presence of COVID-19 in Colorado constitutes a disaster emergency.
- D. Las Animas Huerfano Counties District Health Department ("LAHCDHD") anticipates that, due to the contagiousness of the illness, and the fact that numerous travelers from around the world visit the county, Las Animas County will see cases of the virus and its transmission within the community. Developing social distancing policies prior to an extensive outbreak has been a proven means of helping to contain COVID-19 outbreaks.
- E. LAHCDHD anticipates that without appropriately responding to the illness, including cancelling and postponing large public events, we will see several cases within Las Animas County and those cases may result in serious illness or death for certain members of the community, and also may have the effect of interrupting the functioning of the community in terms of work attendance, school attendance, and the like.
- F. The cost and magnitude of responding to and recovering from the impact of the ensuing event is far in excess of the county's available resources.
- G. Colorado law defines a "disaster" as "the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from any natural cause or cause of human origin." See C.R.S. 24-33.5-703(3). A local disaster emergency may be declared to assist local governments in responding to and recovering from emergency events, including epidemics and emergency epidemics and pandemics.
- H. The imminent threat of an outbreak of COVID-19 in Las Animas County constitutes a local disaster for purposes of C.R.S. § 24-33.5-709.

- I. Pursuant to C.R.S. § 24-33.5-709(1), §§ 30-10-307 and 308 and the Las Animas County Local Emergency Operations Plan, the Chair of the Board of County Commissioners of Las Animas County has authority to declare a local disaster and such declaration may be effective for up to seven days.
- J. Pursuant to C.R.S. § 25-1-506(3)(b), LAHCDHD has authority to "establish, maintain, and enforce isolation and quarantine, and in pursuance thereof, and for this purpose only, to exercise physical control over property and over the persons of the people within the jurisdiction of the agency as the agency may find necessary for the protection of the public health" and has authority to "close schools and public places and to prohibit gatherings of people when necessary to protect public health."
- K. Pursuant to C.R.S. § 25-1-509(2)(b), the Public Health Director has the powers to "exercise all powers and duties conferred and imposed upon agencies not expressly delegated" to the County Board of Health.
- L. Pursuant to C.R.S. § 24-33.5-709(1) any order declaring, continuing or terminating a local disaster "shall be given prompt and general publicity and shall be filed promptly with the county clerk and recorder and the office of emergency management."
- M. In light of the ongoing risk to public health and safety, at this time it is necessary to declare a local disaster emergency.

NOW THEREFORE, I HEREBY MAKE THE FOLLOWING DECLARATIONS:

- 1. The imminent threat of COVID-19 in Las Animas County constitutes a local disaster emergency for a period not to exceed seven days. The Board of County Commissioners shall consider extending this declaration at a duly-noticed meeting within seven days of the date of this declaration.
- 2. The effect of this declaration of local disaster shall be to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans.
- 3. The Director of the Office of Emergency Management has full authority as outlined in the Las Animas County Local Emergency Operations Plan.
- 4. The Public Health Director shall continue to have the powers and duties conferred on her by C.R.S. § 25-1-506 and C.R.S. § 25-1-509. Pursuant to C.R.S. § 25-1-516, it is unlawful to willfully "violate, disobey, or disregard the provisions of the public health laws or the terms of any lawful notice, order, standards or rule."
- 5. Based on the Public Health Director's recommendations the Las Animas County community is strongly directed to engage in social distancing and to postpone or cancel any gatherings or events where people will congregate in groups larger than 10 and/or in close contact with one another. These directives will be revisited and monitored daily. Additional restrictions may need to be imposed by the Public Health Director as the situation progresses, including without limitation mandatory closures.

ADOPTED on this 17 day of March, 2020.

CHAIRMAN, LAS ANIMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Chairman