

Emergency Order 2020-21 2nd Amended

CITY OF BOULDER ORDER RELATED TO DECLARATION
OF LOCAL DISASTER EMERGENCY

A disaster emergency was declared by the city manager on March 14, 2020. The city council confirmed and extended the emergency declaration until further notice at the March 16, 2020 special council meeting. Pursuant to Section 2-2.5-7, "Powers," B.R.C. 1981, the city manager finds a need to issue this order in order to protect the health, safety and welfare of persons or property within the city or to otherwise preserve the public peace or abate, clean up or mitigate the effects of any disaster emergency.

On September 24, 2020, as a result of a recent surge in COVID-19 cases and in an effort to reduce the number of cases, Boulder County Public Health issued Public Health Order 2020-07 and subsequent amendments, Prohibiting Gatherings Involving Persons Aged Between 18 and 22 years in the City of Boulder and Stay-at-Home for Subject Properties.

On September 25, 2020, in an effort to support Boulder County Public Health's efforts, the city issued Emergency Order 2020-21 which set more restrictive hours on the sales of alcohol for all on-premises licensees located within the City of Boulder and licensed under Articles 3, 4, and 5 of Title 44 of the Colorado Revised Statutes by requiring that alcohol beverage sales to end to consumers for on-premises consumption be restricted between the hours of 10:00 P.M. and 7:00 A.M. MST each day. This order was to expire on October 8, 2020 but was subsequently extended to October 15, 2020 by Emergency Order 2020-21 Amended.

Boulder County Public Health's Public Health Order 2020-07 and subsequent amendments expired on October 8, 2020 and were replaced by Public Health Order 2020-08 which created different levels for determining gathering limits for individuals between 18 and 22 years of age in the City of Boulder. The limits placed on gatherings depend on certain metrics concerning containment indicators and rates of COVID-19 among the 18 to 22 year old population, specifically, testing rates, cooperation with contact tracing, cases per 100,000 among the 18 to 22 year old population, and positivity rates among the 18 to 22 year old population.

As of October 13, 2020, Boulder County Public Health has moved from Level C to Level A allowing for an increase in gathering numbers for individuals between 18 and 22 years of age in the City of Boulder from two to six people. Because the metrics improved, there are additional opportunities to increase

gathering limits among this age group and to participate in regulated or CU Boulder-sponsored events by continuing to be diligent in maintaining social distance, masking, and keeping gatherings to a minimum.

In an effort to support Boulder County Public Health's most recent changes in levels, the city manager is repealing Emergency Order 2020-21 Amended to allow for less restrictive hours for the sale of alcohol for all on-premises licensees located within the City of Boulder by no longer restricting sales. Pursuant to current state public health orders, sales are permitted between the hours of 11:00 P.M. and 7:00 A.M. MST each day.

This order is in effect as of 5:00 p.m. MST on October 14, 2020. This order is necessary to allow for the containment of the spread of COVID-19 and to prevent the assembly of large groups of people, which will present a risk of infection during the disaster emergency. Once issued, this order may be changed from time to time during the period of a declared disaster emergency based upon the discretion of the city manager.

Enforcement: Pursuant to Section 2-2.5-8, "Adherence to Emergency Orders," B.R.C. 1981, Police, code enforcement and such other law enforcement and peace officers as may be authorized by the city manager shall be authorized to enforce the orders, rules and regulations made or issued pursuant to a declared disaster emergency. Further, no person shall violate this order, or any permit issued pursuant to this order. Any such violation may result in the revocation of any such permit.

Notice: All members of the public shall be deemed to have been given notice of the restrictions contained within a declaration upon its dissemination to the news media or publication on city websites or by use of other means of publicity.

Violation of Order: During the period of a declared disaster emergency, a person shall not:

- (1) Violate any of the orders duly issued by the city manager or designee pursuant to such declaration; or
- (2) Willfully obstruct, hinder or delay any duly authorized city officer, employee or volunteer in the enforcement or exercise of the provisions of this chapter, or of the undertaking of any activity pursuant to this chapter.

DATE: October 14 2020, 11:00 a.m. a.m./p.m.

Jane S Brautigam

City Manager or other Authorized City Official
as designated by Chapter 2-2.5, "Civil Emergencies
and Disasters," B.R.C. 1981.