



## Memorandum

**To: Mayor and Town Council**  
**From: Town Manager's Office**  
**Date: November 3, 2020**  
**Subject: Public Health Orders and Outdoor Mask Mandate Discussion**

### I. SUMMARY

There was a request at the last council meeting to further discuss a potential outdoor mask mandate for the upcoming winter season. The Town has invited two guest speakers to join in the conversation, Heath Harmon, Eagle County Public Health Director, and Shannon Haynes, Assistant Town Manager, Town of Breckenridge. The discussion will center around Eagle County's COVID 19 case numbers and will review Breckenridge's mandatory mask policy which was adopted in July.

Vail Town Council will review the possibility of authorizing a mandatory mask zone in designated areas of Vail Village and Lionshead as an additional requirement to the Eagle County Public Health order. Currently masks are already required in all indoor spaces per the county public health order and are not required outdoors unless six feet of physical distance cannot be maintained for 15 minutes or longer.

The Town Council is asked to give direction on this topic so that staff can prepare the appropriate legislative document and begin to make preparations for opening day of ski season if a mandate would be approved. If Town Council chooses to mandate face coverings in the core of Vail's villages prior to ski season opening day on November 20<sup>th</sup>, staff will prepare an overlay map and emergency ordinance for adoption at the November 17<sup>th</sup> regular Council meeting. If adopted, the mandate would likely be effective immediately.

Public input is welcome on this topic.

### **Eagle County Public Health Orders Update**

Eagle County Public Health officials continue to monitor the number of positive cases of COVID-19 in Eagle County along with hospitalizations, and are closely watching neighboring counties such as Summit who are experiencing even more rapid infection growth rates than Eagle County. In recent days, the Colorado Department of Health and Environment (CDPHE) has implemented several changes to public health orders in an effort to reduce Covid-19 spread as noted in the following two press releases (full releases attached):

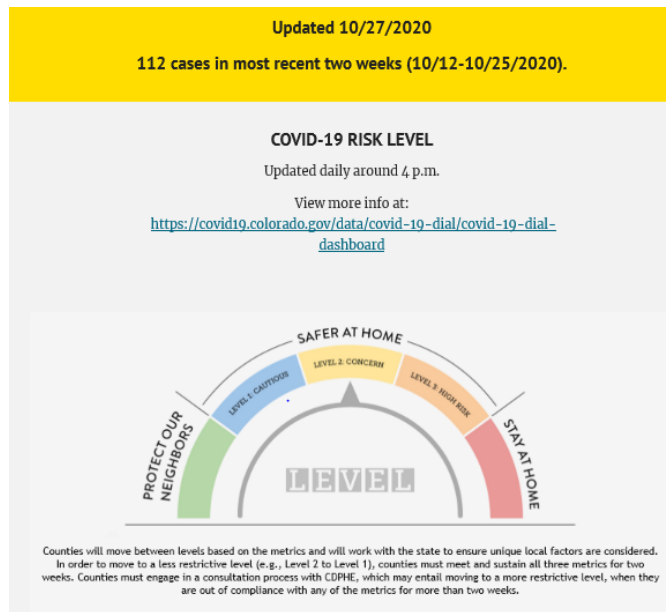
***Declining control of transmissions in the Colorado SARS-CoV-2 model and rapidly increasing hospitalizations signal Colorado is at a critical moment in the COVID-19 pandemic***

*(Oct. 23, 2020): The Colorado Department of Public Health and Environment and the Colorado School of Public Health released a [new modeling report](#) based on recent data showing hospitalizations from SARS-CoV-2 are increasing rapidly across the state. To avoid increasing infections and strain on hospitals over the next three months, a substantial increase in transmission control will be needed.*

## **Personal gatherings limited to 10 people, no more than 2 households**

(Oct. 23, 2020): In response to an alarming increase in hospitalizations due to COVID-19, the Colorado Department of Public Health and Environment (CDPHE) today amended its [Safer at Home public health order](#) to limit personal gatherings in all counties at all Safer at Home levels. The revised order reduces the size of personal gatherings to no more than 10 people from no more than 2 separate households.

In addition, it is noted that Eagle County Public Health now references Colorado's Dial Framework when informing the public about the status of COVID-19 cases and restrictions, see below chart and five level details.



Link to Eagle County information:

<https://sites.google.com/eaglecounty.us/covidperformanceindicators/>

This dial includes five levels, from least to most restrictive. Details for each level outline specific metrics and how many people can participate in various activities at one time.

### **The five levels**

1. **Protect Our Neighbors:** Local public health agencies are able to contain surges in cases and outbreaks through testing, case investigation, contact tracing, isolation, quarantine, site-specific closures, and enforcement of public health orders.
2. **Safer at Home 1 - Cautious:** This is less restrictive than Safer at Home Level 2, for counties with low virus transmission but that have not yet achieved Protect Our Neighbors.
3. **Safer at Home 2 - Concern:** The baseline. While we are all still safer at home, we are also able to practice greater social distancing in our great outdoors than in confined indoor spaces.
4. **Safer at Home 3 - High Risk:** This is more restrictive than Safer at Home Level 2, for counties experiencing increases in the metrics. Action is needed, but Stay at Home may not be warranted.
5. **Stay at Home:** Everyone is required to stay at home except for grocery shopping, exercise and necessary activities. Only critical businesses are open.

The Town continues to review and adjust both operational and economic recovery tactics to comply with these orders. For more information and updates about the COVID-19 health crisis, access the State of Colorado websites, at [public health and executive orders](#) and stay up to

date by visiting [covid19.colorado.gov](https://covid19.colorado.gov) and Eagle County's website at <https://www.eaglecounty.us/covid-19/>

## Outdoor Mask Mandate Discussion

With a number of peer mountain resort communities recently implementing outdoor “mandatory mask zones” which apply regardless of social distancing, discussion of the issue has increased once again as we approach ski season, particularly related to Vail’s villages where visitor-density is the greatest.

In an effort to provide Council and the public with more detail on the issue, staff has discussed the matter internally and with peer resorts and would like to highlight a few issues:

- Feedback from our peers in Aspen and Breckenridge related to the outdoor face covering mandate in core zones was generally positive. In their opinion, utilization of masks outdoors in the core areas of their towns increased from about 70% to 90-95%.
- Signage in peer communities has been somewhat effective and creates peer pressure. Feedback from guests has generally been positive.
- Enforcement has been minimal but primarily achieved through education with presence by Community Service Officers and newly hired "ambassadors." The ambassadors are not authorized to write tickets, only Code Enforcement Officers (C) and police officers may. To date in Breckenridge, no fines have been issued.
- In Vail like other communities, enforcement would be a challenge. Additional CEO's and paid greeters from the Welcome Centers would need to be assigned to the villages to provide both education and potentially free masks.
- Recent inquiries to the Eagle County Health Department and the County Manager indicate they are supportive of mask mandates in areas with a high density of visitors such as Vail's villages.
- The business community in Breckenridge was instrumental in lobbying for mandatory mask zone to decrease enforcement encounters by front line staff and to help protect employees from the spread of the virus.
- While community spread of the Covid-19 virus has been reported to be minimal in outdoor settings where individuals are on the move, additional face covering mandates may be useful in reducing current community transmission rates according to public health officials.
- An mask mandate in the Villages would parallel Vail Resorts policy on the mountain and give skiers a consistent policy to follow all the way from the parking structures, to the gondolas.
- A recent article in the Vail Daily (see link below) reviewed survey results conducted by The Insights Collective which polled skiers to measure concerns for the upcoming winter season. [Survey reveals ski resort visitors' top concerns for upcoming winter | VailDaily.com](#)

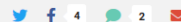
### Survey reveals ski resort visitors' top concerns for upcoming winter

More than 20,000 skiers and snowboarders responded, providing insights about the road ahead

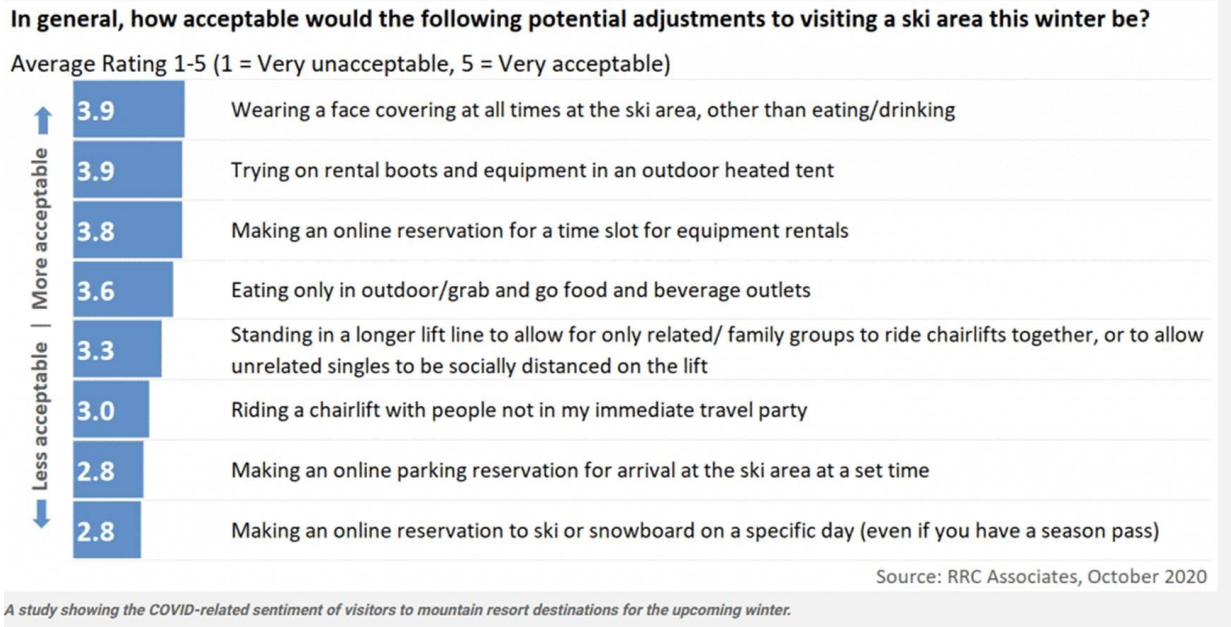
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By Dave Belin

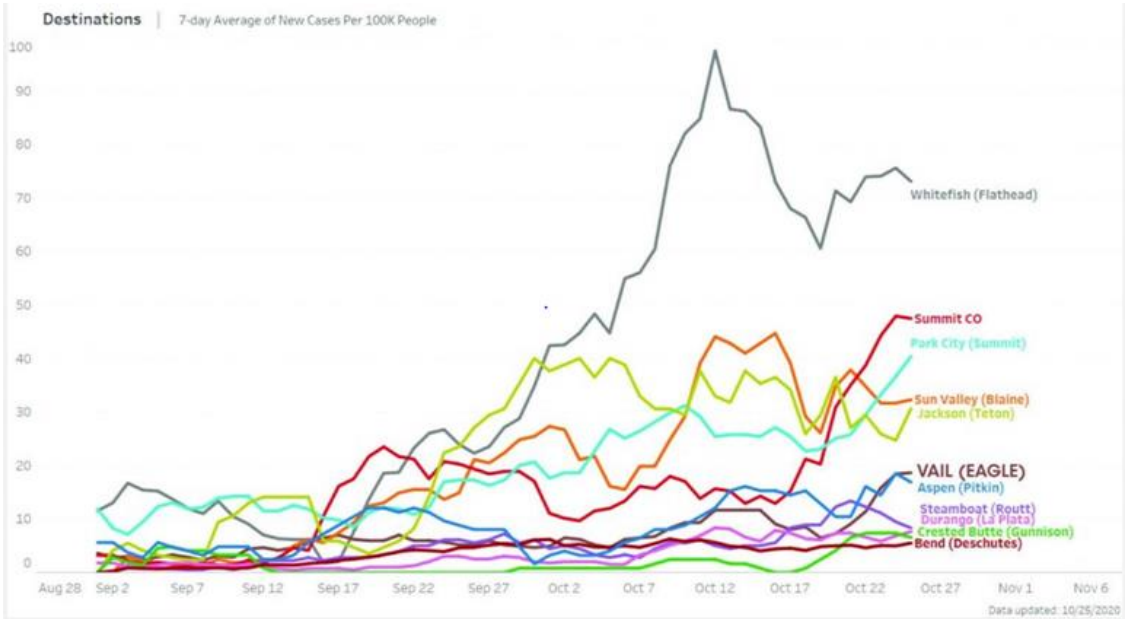
Brought to you by the Vail Daily and [The Insights Collective](#)



The responses collected were well over 20K; a summary of the responses about gaging the skier experience is shown in the graphic below.



In addition, the article notes there will be a need to communicate quickly about tracking COVID cases in resorts communities, as shown in the graph below.



**Attachments:**

- ✓ State of Colorado Press Releases
- ✓ Town of Breckenridge Emergency Ordinance (Requiring Face Coverings)
- ✓ Town of Vail Map with zones proposed for mask mandate