



Legislation Details (With Text)

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**File created:** 7/7/2020      **In control:** Town Council

**On agenda:** 7/14/2020      **Final action:**

**Title:** A Resolution of the Board of Trustees of the Town of Erie Regarding Face Coverings in the Town of Erie

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Face Covering Resolution for 2020.07.14 BoT Meeting, 2. 2020.07.01 TA Order Extending BoCo Face Covering Order to All of Erie

Date	Ver.	Action By	Action	Result
7/14/2020	1	Town Council	approve	Pass

**SUBJECT: Consent Agenda**

**Title**  
**A Resolution of the Board of Trustees of the Town of Erie Regarding Face Coverings in the Town of Erie**

**Body**

**DEPARTMENT: Administration**

**PRESENTERS:** Malcolm Fleming, Town Administrator,  
Kendra Carberry, Town Attorney

**STAFF RECOMMENDATION:**

**Recommendation**

Approve the resolution regarding face coverings.

**End**

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

Governor Polis recognized the COVID-19 pandemic and on March 10, 2020 declared a disaster emergency. Concurrently, on March 14, 2020, Mayor Jennifer Carroll declared a local disaster emergency in and for the Town of Erie. On March 24, 2020, the Board of Trustees approved a Resolution ratifying the Mayor’s declarations and policies implemented in response to the disaster by the Town Administrator/Emergency Manager.

The emergency conditions caused by the COVID-19 pandemic persist and require additional and sustained action by the Town. A [new study](https://www.healthaffairs.org/doi/10.1377/hlthaff.2020.00818) <<https://www.healthaffairs.org/doi/10.1377/hlthaff.2020.00818>> provides evidence indicating using facial coverings in public is associated with lower COVID-19 infection rates. The study also suggests

facial covering mandates have possibly averted hundreds of thousands of COVID-19 cases. Locally, Boulder County has mandated, with specified exceptions, wearing facial coverings whenever outside and not maintaining social distance of at least 6 feet from any non-household members. Weld County has not adopted a facial covering order, although Weld County does recommend wearing one when, "...around other people where physical distancing isn't as easy". Weld County's current (July 7, 2020) [COVID-19 case rate <https://covid19.colorado.gov/data/case-data>](https://covid19.colorado.gov/data/case-data) of 916/100,000 population is more than twice Boulder County's current rate of 443.

Boulder County adopted its initial [Facial Covering Order <https://assets.bouldercounty.org/wp-content/uploads/2020/05/2020-02-masking-order.pdf>](https://assets.bouldercounty.org/wp-content/uploads/2020/05/2020-02-masking-order.pdf) on May 2. On May 4, Mayor Jennifer Carroll extended the Boulder County Order to all parts of Erie. On May 26, the Board of Trustees ratified the Mayor's Order. Because its earlier Order was set to expire, on June 29 Boulder County extended its [Facial Covering Order <https://assets.bouldercounty.org/wp-content/uploads/2020/06/2020-04-extension-of-masking-order-0629.pdf>](https://assets.bouldercounty.org/wp-content/uploads/2020/06/2020-04-extension-of-masking-order-0629.pdf) until it is rescinded. On July 1, and to continue the policy of consistent application of the Boulder County Order throughout all of Erie, as the Town's Emergency Manager, Town Administrator Malcolm Fleming signed an Order extending the Boulder County Order to all of Erie. The proposed resolution would ratify and adopt the Town Administrator's July 1, 2020 Order.

Given the dynamic nature of the pandemic, and if the resolution is approved by the Board of Trustees, each of the requirements of the Boulder County Order would apply throughout the Town of Erie, in both Boulder County and Weld County, and would remain in effect until Boulder County rescinds the Boulder County Order.

**ATTACHMENTS:**

1. Resolution Regarding Face Coverings
2. Town Administrator Order Regarding Face Coverings