

### Business Frequently Asked Questions Regarding Operations Under the Safer-At-Home Order

Non-Critical businesses located in a jurisdiction still subject to the Stay-At-Home Order (Adams and Arapahoe Counties) should not begin operations until that Order, set to expire on May 9, has been lifted. However, the Stay-At-Home Order permits Non-Critical Businesses to offer curbside pick-up and delivery of products.

Under the Safer at Home Order, businesses must review the industry specific guidance for their business and implement all requirements prior to opening. Please visit the Colorado Department of Public Health and Environment (CDPHE)'s [Safer- at Home webpage](#) for industry specific guidance and [best practices for all businesses](#). Please submit additional questions to the Tri-County Health Department's (TCHD) COVID Call Center at 303-220-9200 or [callcenter@tchd.org](mailto:callcenter@tchd.org).

### General

#### What is still closed?

- Restaurants, food courts, cafes, coffeehouses, and other similar places of public accommodation offering food or beverage for on-premises consumption. Delivery, take-out and drive-up service is available.
- Bars, taverns, brew pubs, breweries, microbreweries, distillery pubs, wineries, tasting rooms, special licensees, clubs, and other places of public accommodation offering alcoholic beverages for on-premises consumption.
- Cigar bars for onsite consumption.
- Gymnasiums, yoga and fitness studios; bowling alleys.
- Playgrounds.
- Libraries.
- Movie and performance theaters, opera houses, concert halls, music halls and museums.
- Casinos.
- Horse tracks and simulcast facilities, also known as off-track betting facilities.
- Indoor gun ranges.
- Swimming pools.

#### Are the Safer at Home executive order and corresponding public health orders mandatory or just guidance?

They are mandatory.

#### If I'm not allowed to open yet, what can I be doing to prepare for my reopening date?

Businesses should review industry specific guidance and begin developing [COVID-19 plans](#) to ensure safe operations prior to opening.

**Do I need to open if I am not comfortable with the way the orders are written?**

No. No business is required to open under the Safer-At-Home Order. Businesses should only open if they have complied with all of the requirements for their business and feel that it is safe to do so.

**What if a business isn't following the Safer at Home requirements after opening to the public?**

Businesses will only be allowed to open if they are in compliance with Safer at Home requirements, and it is in a business' best interest to ensure the safety of their employees and customers. Businesses that fail to comply with the requirements of the Order may be subject to civil and criminal penalties including an Order to Close. Information regarding non-compliance may be used against a business during renewal process of any special license or permits.

**How will this order be enforced?**

Colorado law requires compliance with executive and public health orders; therefore, not following these orders is breaking the law. We all must do our part to ensure success, and call upon all people in Colorado to voluntarily comply. Local law enforcement agencies and local public health agencies can enforce public health orders. State law enforcement will assist and support in any way requested, but voluntary compliance is critical. Law enforcement involvement is reserved for the most aggravated circumstances. For more information about public health orders and how they are enforced [click here](#).

**Has anything changed for critical businesses?**

Critical businesses that were open under the Stay-at-Home order will remain open during the Safer at Home level with the same strict precautions (physical distancing, masks for all employees, more frequent cleanings, etc.). Critical businesses must continue to comply with distancing requirements at all times, adopt work from home or telework policies for any operations that can be done remotely, and implement other strategies, such as staggered schedules or redesigning workplaces, to create more distance between workers unless doing so would make it impossible to carry out critical functions. A list of critical businesses is available at [covid19.colorado.gov/critical-businesses](https://covid19.colorado.gov/critical-businesses).

**My city or county also has a Stay-at-Home order. Which one should I follow?**

The most restrictive terms of either the state or local orders apply. So if the city or county's order is more restrictive than the state order, follow the city or county order.

**Will TCHD review plans for businesses to reopen?**

No. TCHD does not have the capacity to review plans for all businesses. TCHD has developed a [check-list for businesses](#) to use as a tool in the development of their COVID-19 plans. If a business has questions or needs something clarified, they should call the TCHD COVID-19 Call Center at 303-220-9200 or email [callcenter@tchd.org](mailto:callcenter@tchd.org).

**Worksites**

**As an employer or business owner, are there resources to help me understand what it means to have "proper ventilation" and how to achieve it?**

Increased ventilation in buildings may remove aerosol droplets from the air. Businesses can increase ventilation by opening windows or adjusting their air-conditioning. For more information on proper ventilation, please see the [Occupational Safety and Health Administration's](#) guidance.

**Can I expand my operations, displays, etc. outdoors to the sidewalk, parking lot, or landscaped area to make room for social distancing while also accommodating my operational needs?**

Before expanding operations, you may need to check with your landlord. You should also coordinate with the local government's Building Permit and Zoning officials as well as any other applicable licensing agencies to maintain compliance with other applicable regulations.

**Can I modify my facility or building to accommodate social distancing requirements or other COVID-19 safety measures?**

Before making any modifications, you may need to check with your landlord. If you need to modify your facility – either inside or outside the building – coordinate with the local government's Building Permit and Zoning officials as well as any other applicable licensing agencies to maintain compliance with other applicable regulations.

**If a business is big enough, can they hold multiple groups of 10 people in separate areas if different entrances and bathrooms are available?**

No. Businesses are limited to one group of up to 10 people at a time in a single location at a maximum of 50% occupancy for the location, whichever is less, including both employees and customers. The limit is 4 people for personal training services.

## Employees

**Will my business be required to do at the door temperature checks for employees?**

All businesses with more than 25 employees are required to do temperature checks prior to allowing employees to begin work. Businesses with fewer than 25 employees may ask their employees to self-screen prior to coming to work. Please see [CDPHE's Symptom Screening Guidance](#) for additional information.

**How does an employer stay in compliance with the Americans with Disabilities Act (ADA) while also screening employees for COVID-19 symptoms?**

See the [Equal Employment Opportunity Commission's supplemental guidance for](#) information on maintaining employee confidentiality when gathering health-related information.

**If my business isn't considered "critical" by the State, are my employees required to wear masks?**

Yes, the requirement for all employees interacting with public as well as those that cannot maintain 6 feet from coworkers at all times to wear a mask can be found in [Public Health Order 20-28](#). Employers are required to provide masks to employees who do not have one. For more information on these requirements, please review the industry specific guidance for your business.

**Safer at Home requires some workers to wear gloves. What kind of gloves are required and for whom?**

Non-critical health care services providers are required to wear disposable patient examination gloves such as nitrile, rubber, polychloroprene, or vinyl gloves. Personal service providers (e.g., hair stylists) are recommended to wear the same.

### Customers

**Are people required to wear masks in stores?**

All workers should wear medical or non-medical face coverings that cover the mouth and nose while at work, except where doing so would inhibit health, and to wear gloves (if gloves are provided by an employer) when in contact with customers or goods.

Colorado is asking everyone who is able to wear a non-medical cloth face covering while out in public for necessary activities like grocery shopping, going to work – but masks are not required for the general public and customers of stores at this time. Businesses that would like to require the general public to wear masks when in their establishments are permitted and encouraged to do so.

**As a retail business owner, can I require customers to wear a mask of some sort prior to them entering the premises? What action can I take if they refuse but still enter (or try to)?**

Yes. Businesses can and are encouraged to require mask wearing by the general public. Businesses can place signage requiring masks at entrances and throughout their establishments. However, some people may have a medical condition that prevents them from wearing a mask. Only those that are able to wear masks safely should be required to wear one.

**Do I need to verify that a person is actually vulnerable if they arrive for my Vulnerable Individuals store hours?**

No. Businesses should post signage encouraging vulnerable individuals to use special hours, including information on what individuals are considered vulnerable.

**Is my business supposed to refuse service to vulnerable people based on the Safer at Home Order?**

No. Vulnerable individuals are urged to stay at home to the greatest extent possible but businesses are not expected or encouraged to refuse service to a vulnerable person.

### Industry Specific

**What are the guidelines for Farmers Markets opening?**

For guidance on the operation of farmers markets please see TCHD's [Guidance for Farmers Markets](#).

**What services are personal service businesses permitted to provide at this time?**

Under the state's Safer-At-Home Order, personal service businesses are permitted to serve customers in-person subject to several limitations. These individual services may only be performed with 10 or fewer people in a single location at a maximum of 50% occupancy for the location, whichever is less, including both employees and customers. No service may be provided that requires a customer to

remove their mask. For more information on allowable and restricted personal services activities, see CDPHE's [Personal Services specific guidance](#).

**How should aestheticians, salons and other personal care services reopen if clients are not permitted to remove their masks?**

Personal care services may open but should only provide services that do not require the removal of a client's mask.

**Are dog groomers permitted to operate? Can they do curbside?**

Dog groomers are permitted to continue operations under the Safer-At-Home Order as a personal care service. Curbside pet pick-up and drop off is strongly encouraged. For more information on the requirements for dog groomers, please see CDPHE's [guidance for personal care services](#).

**Can restaurants open patio seating under the Safer at Home Order?**

Patio seating for onsite consumption is not allowed. Under the state's Safer-At-Home Order, restaurants may continue operations through curbside, take-out and delivery only.

**What kind of construction is allowed?**

For information on permissible construction activities, please see CDPHE's [Multi-Industry Construction Guidance](#).

**What is limited healthcare setting vs. elective procedure?**

Limited Health Care Settings are a new category of businesses regulated under [Public Health Order 20-28](#). They are defined as locations where certain healthcare services are provided, including acupuncture (not related to personal services), athletic training (not related to personal services), audiology services, services by hearing aid providers, chiropractic care, massage therapy (not related to personal services), naturopathic care, occupational therapy services, optometry services, podiatry services, physical therapy, and speech language pathology services. These individual services may only be performed with 10 or fewer people in a single location at a maximum of 50% occupancy for the location, whichever is less, including both employees and patients.

**Are there recommendations for medical offices regarding patients they shouldn't see? What about vulnerable people who should be staying at home?**

Vulnerable individuals are encouraged to stay home to the greatest extent possible. Vulnerable individuals should only seek in-person care if necessary. Medical facilities should continue to maximize the use of telehealth and virtual office visits. For more information on requirements for medical services, please see [Public Health Order 20-29](#) and CDPHE's [Resources for Health Care Providers](#).

**What are the regulations for dental procedures (includes orthodontics)?**

Dental facilities must seek viable options for eliminating, reducing, or containing aerosol production during care, including delaying all non-urgent care for patients with COVID-19 symptoms, and selectively canceling or postponing elective treatment, including but not limited to prophylactic preventive

treatment provided by dental hygienists. For information on the requirements for businesses providing elective dental procedures, please refer to [Public Health Order 20-29](#).

**Do medical providers need to be approved by CDPHE/DORA to resume elective procedures?**

No. medical providers must adhere to the requirements under [Public Health Order 20-29](#). Preapproval is not required prior to operating.

**Can acupuncture, optometrists, massage therapists and physical therapists open?**

Yes. Limited Health Care Settings are permitted to operate in all counties subject to the requirements of [Public Health Order 20-28](#). These businesses were restricted under Public Health Order 20-24, restricting all non-urgent medical procedures. These businesses were not restricted under [Public Health Order 20-24](#) (Stay-At-Home), adopted and extended by TCHD in Adams and Arapahoe Counties. Because these businesses were not restricted under the Stay-At-Home Order, they are subject to the requirements of [Public Health Order 20-28](#) (Safer-At-Home) which defines acupuncturists, optometrists, massage therapists and physical therapists as “Limited Health Care Settings.”

**Safer at Home requires that non-critical health care service providers (e.g., chiropractors, acupuncturists, etc.) wear a medical grade mask. What is a medical grade mask?**

A medical grade face mask is also called a surgical mask. These are disposable, fluid-resistant masks that provide the wearer protection against large droplets, splashes, or sprays of bodily or other hazardous fluids. They also protect others from the wearer’s respiratory emissions. Surgical masks do not provide the wearer reliable protection from inhaling smaller airborne particles. N95 or other types of respirators should be considered if available and if the wearer seeks protection from small particle aerosols.

**Are masks and gloves required for food handlers?**

All employees for all businesses having contact with the public are required to wear masks, which includes food handlers. Food handlers should utilize disposable gloves as normally required by their governing regulations.

**Will churches, synagogues, mosques and other places of worship reopen under the Safer at Home Order if they follow physical distancing requirements?**

During the Safer at Home period, gatherings in both public and private spaces of more than 10 people are prohibited. Places of worship are encouraged to continue providing access to services online or drive-up worship (as long as vehicles are turned off and not idling). For more information please refer to CDPHE’s [Guidance for Places of Worship](#).

**Do the staff, singers, production team, etc. at a place of worship have to wear masks, or is this strongly recommended as it is for the congregants?**

Staff, including the production team and singers are considered employees for the purposes of Safer-At-Home requirements. As such, they must be wearing a mask if they will have contact with other employees or congregants.

**Can churches do 'no contact' dispensing of communion and wine for the sacraments of communion?**

Places of Worship are encouraged to take every precaution to ensure social distancing. Please refer to CDPHE [Guidance for Places of Worship](#).

**When will gyms be open? What about fitness classes in a studio?**

Gyms will remain closed under Safer at Home, and that includes fitness studios such as yoga, pilates, barre, etc. Indoor personal training/classes with a maximum of four people including the trainer is permissible. Those participating must be physically distant and can have no shared equipment.

**For gyms that are allowed to hold a group of 4 or less, is the instructor included in this number?** Yes, the instructor is included in the total group count.

**Do participants have to wear masks, or just the instructor, or is it highly recommended for both?**

Both instructor and participants must wear a mask at all times. Only services that can be done without a customer removing their mask should be provided at this time.

**Can I open my event venue that hosts 50-250 people?**

A variety of venues are permitted to open under the Safer-At-Home but may not host more than 10 people.

**Are real estate showings permitted?**

Real estate showings are permitted by appointment only and may only occur in unoccupied homes.

**Other**

**Can I take returns of items that can't be sanitized as long as I do not re-sell the items?**

Yes. If an item will be resold, it must be properly sanitized.

**Can I get a prescription filled?**

Yes. Pharmacies and other medical services will remain open. Consider having prescriptions delivered to your home.