

**PUBLIC HEALTH ORDER
NAVAJO DEPARTMENT OF HEALTH
NAVAJO OFFICE OF ENVIRONMENTAL HEALTH & PROTECTION PROGRAM**

October 16, 2020

Public Health Emergency Order No. 2020-025

**Rescinding the Stay at Home (Shelter in Place) Public Health Emergency Order and
Implementing a “Safer on the Navajo Nation” (Home) Public Health Emergency Order;
Revising Daily Curfew Hours; and Implementing 56-Hour Weekend Lockdown**

- I. Paragraphs I – IX from Public Health Emergency Order No. 2020-004 are included with this Public Health Order, addressing the various Navajo Nation (Nation) authorities related to the current COVID-19 Public Health Emergency.
- II. A Stay at Home (Shelter in Place) order was re-issued on September 22, 2020 to further ensure an effective response to the COVID-19 pandemic by restricting movement of individuals on the Nation to limit contact to prevent the spread of the virus and to minimize the strain on medical response capabilities. (Public Health Emergency Order No. 2020-023). Under that Order, individuals can leave their place of residence only to perform “Essential Activities” which primarily include activities related to health, safety, and welfare. Public Health Emergency Order No. 2020-003 (March 20, 2020) directed Visitors to the Nation to return home immediately and to refrain from traveling to the Navajo Nation, based on guidance from the Centers for Disease Control and Prevention that travel increases the chances of getting and spreading COVID-19. Those Orders also advised against public gatherings in excess of 5 people.
- III. Under this Public Health Emergency Order No. 2020-025, individuals are encouraged to exercise personal responsibility but are not ordered to stay home. Individuals on the Navajo Nation have played an important role in slowing the spread of COVID-19 on the Nation. The cluster cases that the Nation has experienced recently have been the result of off-Reservation travel and family gatherings. It is important that individuals remain diligent in keeping themselves and their households safe by practicing everyday preventative actions including wearing a mask in public, social (physical) distancing, disinfecting high touch surface areas, avoiding unnecessary travel, avoiding public gatherings, and washing hands for 20 seconds.
- IV. Areas surrounding the Navajo Nation are experiencing an alarming rise in COVID-19 cases. Hospitals and health care systems in these areas are being drastically impacted. These factors threaten the Navajo People’s health and well-being and also have the potential to overwhelm the health care system on the Navajo Nation. Travel off the Navajo Nation at this time is not advised.

- V. The safest place to be is on the Navajo Nation and at home. According to the Centers for Disease Control and Prevention, "COVID-19 cases and deaths have been reported in all 50 states, and the situation is constantly changing. Because travel increases your chances of getting infected and spreading COVID-19, **staying home is the best way to protect yourself and others from getting sick.**"
- VI. Drive-In gatherings are permitted during non-curfew hours if the organizers and participants adhere to the requirements herein.
- VII. The Nation's roads remain closed to Visitors for the duration of the declared public health emergency, and Visitors are advised to refrain from traveling to the Navajo Nation at this time. Tribal parks will not be accessible to Visitors and Tourists during this time. Visitor and Tourists will be informed by Public Health Emergency Order when the Navajo Nation can safely welcome Visitors back to the Nation.
- VIII. Starting Friday, October 16, 2020, updated daily curfew hours will be from 9:00 P.M. MDT to 5:00 A.M. MDT. After daylight savings time ends on November 1, 2020, daily curfew hours will begin at 9:00 P.M. MST and end at 5:00 A.M. MST.
- IX. A 56-hour Weekend Lockdown is implemented starting Friday, October 16, 2020 at 9:00 P.M. MDT to Monday, October 19, 2020 at 5:00 A.M. MDT.
- X. The intent of this Public Health Emergency Order No. 2020-025 is to limit the contact and restrict the movement of individuals. All provisions of this Order are to be interpreted to effectuate this intent. Failure to comply with any provision of this Order constitutes an imminent threat and menace to public health.

THEREFORE, NOTICE IS GIVEN that, pursuant to the power and authority set forth in the NDOH enabling legislation (NNC Resolution No. CO-50-14), and in conjunction with the Navajo Nation Public Health State of Emergency Declaration (CEM Resolution No. 20-03-11):

- A. The Navajo Nation's Shelter in Place (Stay at Home) Public Health Emergency Order is rescinded and replaced with a Safer on the Navajo Nation Order. Under this Safer on the Navajo Nation Order, individuals are required to exercise personal responsibility to remain safe, but are not ordered to stay home.
 - 1. Individuals must continue to exercise caution when engaging in public activities and practice everyday preventive actions, which include: wearing a mask in public, practicing social (physical) distancing, disinfecting high-touch surfaces, avoiding unnecessary travel, avoiding unnecessary public gatherings, and washing hands for 20 seconds.
 - 2. Individuals with COVID-19, or who have symptoms consistent with COVID-19, or who have been in close contact with someone who has COVID-19, are required to stay home and away from other people to prevent spread of the virus.

- B. "Drive-in" gatherings of any size can be conducted during non-curfew hours, consistent with the current Public Health Emergency Orders (as long as those orders are in effect), where event organizers ensure the following requirements are in place:

1. Outdoor "drive-in" gatherings only where people from the same vehicle remain in their vehicles.
2. Vehicles are parked at least six (6) feet from other vehicles, in all four directions.
3. Organizers and participants wear masks.
4. Gathering is conducted in a no-contact manner and maintaining social distancing standards.

Event organizers are also required to:

1. Limit the number of people in a restroom to no more than ten (10) people.
 2. Ensure that people have access to a handwashing station, sanitizer, or gloves.
 3. Ensure that high-touch surfaces are regularly disinfected.
- C. The Nation remains closed to Tourists and Visitors, and were required beginning in March 2020 to return home immediately (Public Health Emergency Order No. 2020-003 (March 20, 2020)). The Nation's roads remain closed to visitors and tourists for the duration of the declared public health emergency, and visitors and tourists are required to refrain from travelling to the Navajo Nation at this time and until further notice.
- D. **Revised Daily Curfew Hours:** Starting Friday, October 16, 2020, a daily 9:00 P.M MDT to 5:00 A.M. MDT curfew applies to all individuals across the Nation. After daylight savings time ends on November 1, 2020, daily curfew hours shall begin at 9:00 P.M. MST and shall end at 5:00 A.M. MST. All individuals shall be at home during daily curfew hours, except in the event of an emergency or as described below.
1. Essential Businesses shall limit operations before 6:00 A.M. MDT and after 8:00 P.M. MDT (MST after daylight savings time ends) to permit customers to obey the daily curfew.
 2. The daily curfew does not apply to Essential Employees reporting to or from duty. An essential employee must carry official identification or a letter of designation from their essential business or essential government activity employer on official letterhead, naming a point of contact with contact information for verification.
 3. This daily curfew does not apply to Essential Businesses that do not directly serve customers, including Food Cultivation (as described in Public Health Emergency Order No. 2020-003).
- E. All individuals on the Navajo Nation shall comply with the **56-Hour Weekend Lockdown** across the Nation from Friday, October 16, 2020 at 9:00 P.M. MDT to Monday, October 19, 2020 at 5:00 A.M. MDT. All individuals shall remain home during weekend curfew hours except in the event of an emergency or as described below:

1. Individuals are still permitted to cultivate food (i.e. farming) and tend to livestock. However, plan ahead to purchase hay and feed, if needed.
 2. Individuals are not required to remain indoors during weekend curfew. Outdoor activity is encouraged and individuals may leave their immediate residence or home site area for exercise such as running or hiking, so long as movement is restricted to no more than five (5) miles from one's home.
 3. Wood collection and hauling, with an appropriate permit issued by the Navajo Nation Forestry Department, is a permissible activity during the weekend curfew hours, however groups are limited to no more than 5 people, masks are required, maintain social distancing to the greatest extent possible, and use hand sanitizer.
- F. **Essential Businesses** shall remain closed during curfew weekend. This closure requirement does not apply to Healthcare Operations, Essential Government Functions, or Essential Infrastructure Activities (as those terms are defined below), or to Food Cultivation (as described in Public Health Emergency Order No. 2020-003). Essential Employees reporting to or from duty are exempted from the weekend curfew but must carry official identification or a letter of designation from their employer on official letterhead which includes a contact name and number for verification.

NOTICE IS FURTHER GIVEN that this Order shall take effect immediately and shall remain in effect until a future Order rescinds or changes it.

NOTICE IS FURTHER GIVEN that the public is advised take the following preventive precautions:

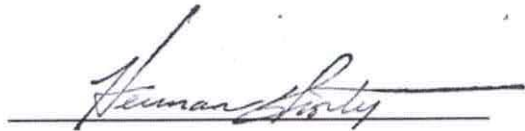
1. Plan and act ahead: buy or get supplies you might need, including medical supplies, food, water, animal feed, firewood or coal, and fuel for your vehicles, during non-curfew hours.
2. Socially distance yourselves. Avoid close contact with people who are sick. Keep at least six feet from others in public.
3. Wash your hands often with soap and water for at least 20 seconds, especially after blowing your nose, coughing, or sneezing, or having been in a public place. If soap and water are not available, use a hand sanitizer that contains at least 60% alcohol.
4. To the extent possible, avoid touching high-touch surfaces in public places – door handles, handrails, etc. Use a barrier such as a tissue or gloves to cover your hands or fingers if you must touch something.
5. Avoid touching your face, nose, eyes, mouth. Cover your mouth and nose with the best-available protective material, including masks, when in public.
6. Clean and disinfect your home and vehicles to remove germs: practice routine cleaning of frequently touched surfaces (for example: tables, doorknobs, light switches, handles, desks, toilets, faucets, sinks, steering wheels, door handles, gearshifts, and cell phones).
7. Get an influenza (flu) vaccination as soon as possible and when safe to do so, and in accordance with the above requirements.

8. Due to recent increased in cases due to family gatherings, wear masks when non-household members visit you, and when you visit people not in your household. Take family members' temperatures when they visit you. Ask family members to stay home if they are not feeling well, or if they have symptoms consistent with COVID-19.

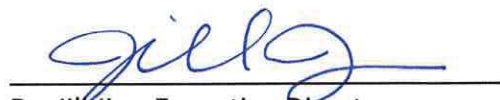
9. Take your temperature two times per day, in the morning and the evening, if possible. See the attached March 12, 2020 "Self-monitoring Advisory." A fever is typically a temperature of 100.4 degrees Fahrenheit or higher. If you do not have a thermometer, symptoms of illness may include feeling unusually hot for no reason, having chills, or having the sweats. Watch for fever, cough, or shortness of breath. Call your health care provider if symptoms worsen. Call first before going to a health care provider's office or an emergency room.

10. Travel advisory: off-reservation travel is discouraged.

ADDITIONAL ADVISORIES AND ORDERS WILL FOLLOW AS CONDITIONS WARRANT. SO ORDERED THIS 16th DAY OF OCTOBER, 2020.



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Definitions

Emergency: a serious, unexpected, or dangerous situation requiring immediate action, including a medical condition that requires immediate treatment.

Essential Activities: (1) activities or tasks essential to the health and safety of one's household (including livestock and pets), such as obtaining critical medical supplies or medication, or visiting a health care professional for an imminent health need, or participating in a Traditional Navajo ceremony or prayer; (2) obtaining necessary services or supplies (such as canned food, dry goods, produce, pet supplies, meat, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of a residence); (3) engaging in daytime outdoor activity such as walking, hiking, or running (From Public Health Emergency Order No. 2020-003, March 20, 2020); (4) Voting (From Public Health Emergency Order No. 2020-009, May 14, 2020); (5) Cultivate food (i.e. farming) and tend to livestock (From Public Health Emergency Order No. 2020-015 (June 16, 2020); (6) Working for an essential business or in an essential government function, or providing essential infrastructure services; (7) Wood collection and hauling (From Public Health Emergency Order No. 2020-024 (September 29, 2020)).

Essential Businesses: Healthcare Operation, Essential Governmental Functions and Essential Infrastructure (e.g., courts of law, medical providers for urgent care, public utilities, and critical school operations such as nutrition programs). (From Public Health Emergency Order No. 2020-002, March 19, 2020 and expanded through Public Health Emergency Order No. 2020-003, March 20, 2020 to include grocery stores, food banks, convenience stores, hardware stores and other establishments engaged in the retail sale of groceries, non-grocery products, wholesale and products necessary to maintaining the safety, sanitation and essential operation of residences, among other things.)

Essential Employees: Those employees identified by Essential Businesses deemed to be necessary to the continued operation of those Essential Businesses.

Essential Governmental Functions: means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public. (From Public Health Emergency Order No. 2020-002, March 19, 2020).

Essential infrastructure: Public works construction, construction of housing, water, sewer, gas, electrical, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services). (From Public Health Emergency Order No. 2020-003, March 20, 2020).

Healthcare Operations: Government or private clinics, hospitals, and programs providing medical diagnosis, treatment, or emergency response. Does not include commercial production, agricultural, retail, or wholesale operations, even if health-related in some way. (From Public Health Emergency Order No. 2020-010, May 14, 2020).

Social Distancing Requirements: Limiting proximity of people to 6 feet from any other person. (From Public Health Emergency Order No. 2020-002, March 19, 2020). Also known as Physical Distancing.

Social Distancing Standards: Not shaking hands, staying at least six feet away from other people, avoiding crowds, etc. (From Public Health Emergency Order No. 2020-003, March 20, 2020). Also known as Physical Distancing.