



Date: June 12, 2020

To: Interested Parties

From: Brett Sherry, Program Manager  
Regulatory Unit

Subject: Notice of Temporary Rulemaking – OAR 333-003-3000 - 3040, "Implementation of Governor's Executive Orders designated as public health laws – pools, spas, tourist facilities"

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The Oregon Health Authority (Authority), Public Health Division, is temporarily adopting OAR 333-003-3000 thru 333-003-3040 to implement the Governor's Executive Orders designated as public health laws. The Executive Orders establish a number of community mitigation strategies including but not limited to, prohibitions and limitations on social and recreational gatherings, required physical distancing when outside the home, and closure of certain businesses and facilities. Required closures included pools/spas and certain tourist facilities. However, some facilities are permitted to reopen if they operate in a county approved for Phase II or III reopening and comply with Oregon Health Authority (Authority) guidance. Requirements in the guidance include that certain businesses are required to have staff wear face coverings, sanitize the facilities according to identified standards, and to implement physical distancing measures. These rules are necessary to allow the Authority and local public health authorities to enforce the Orders and the accompanying guidance if necessary, as long as the Executive Orders are in effect. These temporary rules incorporate the requirements into the licensing standards for the specific facilities and allow the Authority or a local public health authority to enforce the requirements if necessary, but only as long as the underlying Executive Orders are in effect.

For more details, please see the Temporary Administrative Order, including the Statement of Need and Justification and the full text of the temporary rules at the following website:

[www.healthoregon.org/pl](http://www.healthoregon.org/pl)

If you have any questions or would prefer to be sent a hardcopy, please contact Brett Sherry at (971) 673-0442 or [BRETT.W.SHERRY@dhsosha.state.or.us](mailto:BRETT.W.SHERRY@dhsosha.state.or.us).