



COLORADO
Department of Public
Health & Environment

May 27, 2020

Don Batchelder, Chair
Ben Tisdell, Vice-Chair
John E. Peters, Commissioner
Ouray County Board of Commissioners
112 Village Square West
Ridgeway, CO 81432

Tanner Kingery, Director
Ouray County Public Health Agency

RE: Ouray County Variance Request from portions of **Executive Order D 20 044** and **Public Health Order 20-28**

Dear Commissioners and Director Kingery:

Thank you for your application to the Colorado Department of Public Health and Environment (CDPHE) of a variance request to portions of **Executive Order D 20 044 Safer at Home** and **Public Health Order 20-28 Safer at Home**. I have had an opportunity to review your request for variances regarding restaurants and outdoor recreation, and I have determined that the request is approved, with some amendments, as explained further below. This variance approval is limited to restaurants and outdoor recreation; in all other respects, the requirements of the Safer at Home Executive Order and Public Health Order remain in effect for Ouray County.

As stated in Appendix G to PHO 20-28, when reviewing a variance request, we evaluate the current prevalence of COVID-19 in the jurisdiction, including whether cases are increasing, stable, or decreasing. In reviewing Ouray County's current status with respect to the COVID-19 pandemic, we note that the county has had 8 cases to date, with 2 occurring in the last two weeks for a 2 week incidence rate of 42 per 100,000. There is testing currently available, Montrose Memorial Hospital is supportive of the application as a primary provider of hospital services for individuals living in Ouray County, and the Ouray County Health Department is conducting disease investigations as needed.

Regarding your proposed alternate restrictions for restaurants and outdoor recreation, your request is approved with the following additional requirements:

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- In each confined indoor space, in order to achieve 6 ft social distancing, the limit is 50% of the posted occupancy code limit ensuring a minimum 28 square feet per person not to exceed more than 100 people at any given time.
- For outdoor recreation facilities, in addition to distancing requirements, institute the following requirements:
 - Routine cleaning and disinfection of high touch surfaces
 - Limit or eliminate shared equipment
 - No group size larger than 10, maintaining 6 foot distancing as much as possible.
 - This variance does not authorize sports leagues to resume
- Traveling within Ouray County for recreational purposes is authorized, even if that travel exceeds 10 miles. Ouray County residents who wish to travel to other counties for authorized recreation (e.g. camping) must abide by that county's requirements regarding travel from other counties or locations.

This variance approval is granted based on the facts and circumstances today as you have described them in your request. If the county were to exceed 5 new cases in a two week period (two week incidence of 100 per 100,000), the variance is automatically rescinded. Additionally, CDPHE reserves the right to modify or rescind this variance approval as circumstances warrant. This approval is in effect until the final expiration of PHO 20-28, which may be extended in some capacity beyond the current expiration date next week.

I appreciate your thoughtful approach to these challenging issues and wish you all the best in your continuing efforts to ensure that Ouray County residents are safe and healthy as we deal with this global pandemic. Ouray County is a valued partner, and we are available to answer any questions and work with you on these matters. Please give me a call if you have any questions.

Sincerely,



Jill Hunsaker Ryan, MPH
Executive Director