



**COLORADO**  
Department of Public  
Health & Environment

May 27, 2020

Wendy Buxton-Andrade, Chair  
Thomas Grasmick, Vice-Chair  
Ron Cook, Commissioner  
Prowers County Board of Commissioners  
301 S. Main Street, Suite 215  
Lamar, CO 81052

Meagan Hillman, Director  
Prowers County Public Health and Environment

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

Dear Commissioners:

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, houses of worship, outdoor recreation including golf and sports leagues, libraries, movie theaters and bowling alleys. This variance approval is limited to restaurants, houses of worship, outdoor recreation including golf, libraries, movie theaters and bowling alleys; in all other respects, the requirements of the Safer at Home Executive Order and Public Health Order remain in effect for Prowers 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 Prowers County's current status with respect to the COVID-19 pandemic, we note that the county has had 12 cases to date, with 4 occurring in the last two weeks for a 2 week incidence rate of 33 per 100,000. The Prowers County Health Department is able to conduct timely disease outbreak investigations, testing capacity has been established, and there is an ongoing partnership with Prowers Medical Center to address any potential medical surge needs.

Regarding your proposed alternate restrictions for restaurants, houses of worship, outdoor recreation including golf, libraries, movie theaters and bowling alleys, 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 movie theaters, the following requirements must be met:
  - The facility must track the number of individuals in a theater to create appropriate distancing as follows:
    - Customers must be separated by a minimum of at least three seats to the side, and must alternate every other row
    - Individuals residing in the same household will be considered one customer
    - Six feet distance must be maintained between customers
  - Mark concession lines for a minimum of six feet distancing
  - Implement or maintain physical barriers for high-contact settings (e.g. Cashiers).
  - Perform environmental cleaning and disinfection of bathrooms and high touch surfaces every 2 hours and maintain a cleaning log.

The following requests are not authorized to move forward at this time, but you may wish to resubmit at a later date as new guidance is released:

- Sports leagues

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 12 new cases in a week, 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 will 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 Prowers County residents are safe and healthy as we deal with this global pandemic. Prowers 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