



**COLORADO**  
Department of Public  
Health & Environment

June 6, 2020

Mayor Michael B. Hancock  
City and County of Denver  
Office of the Mayor  
City and County Building  
Denver, CO 80202-5390

Robert M. McDonald  
Public Health Administrator, City and County of Denver  
Executive Director, Denver Department of Public Health and Environment  
101 W. Colfax Ave., Suite 800  
Denver, CO 80202

RE: City and County of Denver Variance Request from portions of **Public Health Order 20-28**

Dear Mayor Hancock and Director McDonald:

Thank you for your second application to the Colorado Department of Public Health and Environment (CDPHE) requesting a variance to portions of **Public Health Order 20-28 Safer at Home**. I have had an opportunity to review your request for a variance for the Denver Zoo and consider the information provided, and determine that the request is approved, with some amendments, as explained further below. This variance approval is limited to the operations of the Denver Zoo; in all other respects, the requirements of the Safer at Home Public Health Order, as amended, remain in effect for the City and County of Denver (Denver).

You asked for a variance related to allowing the Denver Zoo to open on a limited basis. Your application specifies the particular requirements that you propose as an alternative to the Safer at Home model for operating the Zoo. We understand that your proposal caps daily admissions at 4,500 people, which is around 45% of your normal summer daily visitors, with 600 tickets per hour sold in 15 minute increments and approximately 1,250 visitors total onsite at any point in time. Your application describes good disease prevention practices, including onsite staff helping to assure that visitors don't congregate, one-way traffic flow, closure of indoor exhibits and shows, adherence to restaurant requirements for concessions and retail requirements for the gift shops, and strong cleaning and disinfection protocols. The data and information included in your request demonstrates that Denver has a strong public health surveillance system, sufficient hospital capacity, and appropriate thresholds for rolling back the variance if conditions worsen.

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We view the risk of disease transmission at the Zoo, while not identical, similar to an outdoor park setting, providing a low contact environment where ongoing, sustained contact by individuals outside of one's household can be avoided and social distancing can be maintained at all times. This safer, while not risk free, outdoor environment, coupled with the protections that you describe in your plan and the few additional requirements below, provide a reasonable basis for an approval of the variance application with amendments. Due to ongoing disease control concerns regarding large gatherings, and the large volume of people that may be onsite at the Zoo simultaneously, the Zoo may open with ticket sales limited to 300 per hour rather than the 600 proposed in your application.

Your application states that Denver will continue to monitor multiple data points to evaluate trends in the number of positive cases and hospitalizations directly related to COVID19. Further, because this variance request is specific to a venue, and not a broader industry variance request, you will evaluate COVID-19 cases attributed to this venue versus community-wide increases. If during the case investigation process the City identifies the Denver Zoo as a potential source of COVID-19 cases or an outbreak, controls consistent with other outbreak investigations would be utilized, and additional restrictions would be imposed if more cases occurred. Consistent with your variance request for the Denver Botanic Gardens, an appropriate threshold for triggering more restrictions is 2 cases from the Denver Zoo.

With respect to the requirements proposed for opening the Zoo, in addition to the conditions described in your Plan, the following is also required:

- Employees and contracted workers shall be monitored daily for symptoms, and symptomatic employees shall be excluded from the workplace and isolated until they are fever free for 72 hours, other symptoms have improved, and at least 10 days have passed since they became symptomatic.
- Ensure adequate staffing to monitor visitor traffic and disallow groups larger than 10 from gathering to view an exhibit.

This variance approval is granted based on the facts and circumstances today as you have described them in your request, and is subject to adjustment if conditions worsen as described [here](#). If the trigger of 2 or more cases associated with the Zoo leads to additional cases traced to the Zoo, notify CDPHE for a determination of rescission of the variance. 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 of June 30, 2020.

I appreciate your thoughtful approach to these challenging issues, and wish you all the best in your continuing efforts to ensure that Denver residents are safe and healthy as we deal with this global pandemic. Denver 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.

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Sincerely,

A handwritten signature in black ink that reads "Jill Hunsaker Ryan". The signature is written in a cursive, flowing style.

Jill Hunsaker Ryan, MPH  
Executive Director