



**COLORADO**  
Department of Public  
Health & Environment

June 28, 2020

Debbie Bell, Commissioner  
Tim Payne, Commissioner  
Dwayne McFall, Commissioner  
Fremont County Board of Commissioners  
615 Macon Ave., Room 105  
Cañon City, CO 81212

Emma Davis  
Fremont County Public Health  
201 N. Sixth Street  
Canon City, CO 81212

RE: Fremont County Variance Request from portions of **Public Health Order 20-28**

Dear Commissioners and Director Davis:

Thank you for your third 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 expanding gatherings and consider the information provided, and determine that the request is approved, with some amendments, as explained further below.

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. Your application addresses particular requirements that you propose as an alternative to the Safer at Home model for each of these areas. The data and information included in your request demonstrates that Fremont County has reported 33 COVID-19 cases to date with 7 cases in the last two weeks, putting Fremont County in the “low” variance category - see [here](#) for more information.

Based on the low disease prevalence in Fremont county as assessed in this variance review, the following standard is applied to determine the maximum capacity in the indoor and outdoor settings for which you have applied: for all indoor and outdoor spaces, in order to achieve 6 feet distancing, the limit is 50% of the posted occupancy code ensuring a minimum 28 square feet per person not to exceed more than 175 people gathered in a confined indoor space at any given time, and not to exceed 250 in an outdoor space. Your application requests the following:

- Opening libraries and museums at 50% capacity with 6 feet distancing.

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- Allowing large gatherings such as weddings, receptions, funerals, graduation ceremonies, and LPHA approved scheduled events at 50 people indoors and 250 people outdoors, not including staff, with 6 feet distancing.

Since the filing of your variance application, the Seventh Amended PHO 20-28 has been issued, which addresses some of the requests that you have made. In particular, weddings, funerals, and graduations are addressed through life rites, with graduation ceremonies requiring approval of the local public health agency. The requirements for life rites authorize 50% capacity not to exceed 50 people indoors, which can be expanded up to 100 people with the use of the [Social Distancing Space Calculator](#). Receptions would follow indoor or outdoor event guidance, as applicable, which authorizes up to 100 people indoors and 175 people outdoors using the same space calculator. Your variance request for outdoor life rites and receptions up to 250 people is approved.

Regarding opening libraries and museums, both of these may open under the current PHO as indoor events at 100 people in a confined indoor space once again using the [Social Distancing Space Calculator](#). With this approved variance, libraries and museums may open at 50% occupancy with 175 indoors in a confined indoor space and 250 outdoors, if applicable, with 6 feet distancing in all settings.

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 County observes 12 or more cases (excluding cases among residents of facilities experiencing outbreaks) in a two week period, notify CDPHE and then implement a mitigation plan for 2 weeks to try and restore virus transmission levels to the baseline under which the variance was approved. If after 2 weeks the levels are not restored, then the capacity limits are automatically adjusted to the maximum of the new level (low goes to medium, medium goes to high). If the county started at the “high” level for the variance, and after the 2 weeks of mitigation the baseline has not been restored, then the variance is rescinded. This standard for variance review applies to all variances currently in effect in Fremont County. 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 Fremont County residents are safe and healthy as we deal with this global pandemic. Fremont 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.

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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