



COLORADO
Department of Public
Health & Environment

May 22, 2020

Marc Dettenrieder, Chairman
Bob Campbell, Vice Chairman
Norm Steen, Commissioner
Teller County Board of County Commissioners
P.O. Box 959
Cripple Creek, CO 80813

RE: Teller 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) requesting a variance 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 and consider the information provided, and determine that the request is approved, with some amendments, as explained further below.

You asked for a variance related to the following specific functions, Public Gatherings, Restaurants, Bars, Gyms, Movie Theaters, and Places of Worship, and Casinos. Additionally, you requested that workplace temperature monitoring for employees be optional rather than mandatory. Your COVID-19 Suppression Plan 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 Teller County has only had sixteen confirmed COVID-19 cases and an additional 14 epidemiologically linked cases, and has a disease prevention and response system that includes ongoing testing, disease investigation and contact tracing as needed, and ongoing public education. Additionally, while no hospital facility in Teller County has ICU beds, patients are routinely transferred to Colorado Springs hospitals for necessary care. Teller County has had 2 COVID-19 cases in the last two week or a 2 week incidence rate of approximately 8 per 100,000.

Public Health Order 20-28 authorizes public gatherings of no more than ten (10) individuals, and you have proposed to have any planned large public gathering submitted to the Teller County Board of Health for review and approval. The plans must include a minimum of 6 feet distancing between participants and require face coverings. Note that this does not authorize gatherings with higher risk of exposure such as festivals, fairs, and concerts, as the state will issue more guidance on when and how those types of events may open in the future. In a confined indoor space, in order to achieve 6 ft social distancing, the limit is 50% of the posted

Teller County Variance
May 22, 2020

occupancy code limit ensuring a minimum 28 sq feet per person not to exceed more than 175 people at any given time.

For all settings, the following requirements apply:

- 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.
- Require employees to wear face coverings at all times while working.
- Provide accommodations for vulnerable individuals who remain under the Stay at Home requirements.
- Require signage on doors telling guests that are experiencing COVID-like symptoms not to enter, and recommend that the sign posted at the door is the CDC sign (also available in Spanish)

<https://www.cdc.gov/coronavirus/2019-ncov/downloads/316129-B-StayHomeFromWorkPoster.pdf>

Regarding the COVID-19 Suppression Plan for reopening **restaurants**, in addition to the requirements in your Plan, the following also must be implemented:

- Customers must wear face coverings when entering the restaurant until seated at their tables
- Customers must be asked prior to entering a restaurant whether they have any symptoms of COVID-19, and any customers reporting symptoms must be excluded
- Try to make accommodations for high-risk individuals (e.g. early opening, Senior hour)
- Group parties should be limited to six, ideally to members of the same household
- Place markings on the floor to maintain at least six feet distance in customer lines
- In-room dining shall follow strict physical distancing (6 feet)
- Customers should make reservations online or by phone.
- Every effort should be made to notify customers via text or phone call when their table is ready so there is no waiting in a lobby or outside in line.
- Self-serving stations shall remain closed (e.g. drinking stations, bulk dry, etc.)
- No public sharing of utensils or condiments
- Buffets shall have an employee serving the food, no self-service allowed
- Employees and contracted workers must wear face coverings at all times.
- Stagger shifts if feasible to decrease employees at the restaurant where possible
- Limit reusable items (e.g. menus, condiments)
- If possible, provide hand sanitizer at tables or in highly used locations
- Frequent cleaning and disinfecting of all surfaces and increased frequency of high touch items/areas

In addition to the requirements in the Suppression Plan, **Places of worship** must meet all of the following requirements:

Teller County Variance
May 22, 2020

- Require signage at doors telling guests that are experiencing COVID-like symptoms not to enter. Participants should be encouraged to wear a face covering both when entering and while present in the house of worship
- Participants must be asked whether they have COVID-19 symptoms at the door and excluded from the place of worship if symptomatic.
- Consider accommodations for high-risk individuals (e.g. online viewing).
- Place markings on floors to maintain at least six feet distance where lines form.
- Implement touchless offering and communion options as much as possible.
- Workforce (staff & volunteers) must wear face coverings at all times while working.
- Perform frequent cleaning and disinfection of bathrooms and high-touch surfaces.

In addition to the requirements in the Suppression Plan, **Gyms** must meet all of the following requirements:

- Customers must be asked whether they have COVID-19 symptoms at the door and excluded from the fitness center if symptomatic.
- Post signs at entrances encouraging the public to wear face coverings in order to enter the business and while in the facility, unless a face covering inhibits the participant's ability to participate in the fitness activity
- Consider accommodations for high-risk individuals (e.g. early opening, Senior hour)
- Spread people out so there is at least six feet distance between individuals throughout
- Use of equipment in the fitness center must be limited to no closer than every other machine so that participants are not exercising right next to each other.
- Smaller exercise rooms with poor ventilation should be discouraged from use
- Perform frequent environmental cleaning and disinfection of bathrooms and high-touch surfaces and between customer uses.
- Require employees to disinfect equipment after every use.
- Employees and contracted workers must wear face coverings covering the nose and mouth at all times while working.
- Group classes are not allowed.
- Sport courts shall remain closed.
- Locker rooms shall remain closed.
- Saunas, pools (indoor and outdoor) and shared spaces shall remain closed.
- Food/drink bars shall remain closed.

In addition to the requirements in the Suppression Plan, **movie theaters** must also meet the following requirements:

- Customers should be encouraged to wear face coverings into and inside the movie theater.
- Customers must be asked whether they have COVID-19 symptoms at the door and excluded from the facility if symptomatic.
- The facility must track the number of individuals in a theater to create appropriate distancing as follows:
 - Capacity shall be limited by the number of seats per theater

Teller County Variance
May 22, 2020

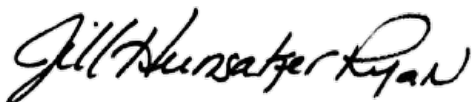
- Customers must be separated by a minimum of at least three seats to the side, and must alternate every other row
- Individuals residing in the same household will be considered one customer
- Six feet distance must be maintained between customers
- The theater must be cleaned and disinfected between movie showings.
- Mark concession lines for a minimum of six feet distancing
- Offer touchless payment options wherever possible.

At this time, bars and casinos are not allowed to open. The State of Colorado will be issuing guidance around casinos soon.

This variance approval is granted based on the facts and circumstances today as you have described them in your request. If the County's threshold of 15 more cases in a week occurs, then this 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 Teller County residents are safe and healthy as we deal with this global pandemic. Teller 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