

October 16, 2020

On March 10, 2020, the Governor of the State of Colorado issued an Executive Order declaring a state of disaster emergency due to the risk of spread of the novel coronavirus, now designated COVID-19.

On March 12, 2020, the Mayor of the City and County of Denver declared a state of local disaster emergency pursuant to C.R.S. § 24-33.5-701, *et seq.*, due to the risk of spread of COVID-19.

Since that time, the Executive Director of the Denver Department of Public Health & Environment (“DDPHE”), pursuant to section 24-16 of the Denver Revised Municipal Code, has issued numerous public health orders to mitigate the spread of COVID-19 within the City and County of Denver. These public health orders have restricted access to certain facilities; restricted mass gatherings of people; closed restaurants and bars to in-person services; and implemented stay at home requirements and critical business operations. In conjunction with steps taken by the Governor and the Colorado Department of Public Health and Environment, these measures all act in concert to minimize the spread of COVID-19 by reducing the exposure of individuals to the virus.

On September 15, 2020, the Executive Director of the Colorado Department of Public Health and Environment (“CDPHE”) issued Public Health Order 20-35 (“CDPHE PHO 20-35”). On September 18, 2020, DDPHE adopted CDPHE PHO 20-35 and all CDPHE amendments thereto.

The City and County of Denver’s 7-day moving average of COVID-19 cases has increased from 82.6 on September 18, 2020 to 143 on October 13, 2020. Similarly, the City and County of Denver’s two-week cumulative incident rate has increased from 119.1 (per 100,000 persons) on September 18, 2020 to 249 on October 13, 2020.

Due to the surge of COVID-19 in the City and County of Denver, DDPHE hereby amends its adoption of CDPHE PHO 20-35 as follows:

- Section II.C.2.a., Public and private gatherings for Level 2 is hereby amended to read as follows: “Public and private gatherings are limited to no more than **5** individuals when not otherwise regulated as a specific sector or activity in Section III of this Order. Nothing in this Order prohibits the gathering of members living in the same residence.”
- Section II.D.2.a., Public and private gatherings for Level 3 is hereby amended to read as follows: “Public and private gatherings are limited to no more than **5** individuals when not otherwise regulated as a specific sector or activity in Section III of this Order. Nothing in this Order prohibits the gathering of members living in the same residence.”

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- Section II.D.2.m.2., outdoor recreational activities, is hereby amended to read as follows: “Outdoor recreational activities in groups of 5 people or fewer may occur, maintaining 6 feet Distancing Requirements between non-household contacts.”
- Section I.B..2. of Appendix B, Non-Critical Office-Based Businesses, is hereby amended to read as follows: “Minimize the number of in-person meetings and maintain 6-foot distancing in those meetings; additionally limit the number of participants in in-person meetings to no more than 5 people or provide sufficient spaces where Distancing Requirements can be maintained if larger gatherings are required by law, such as for some government functions like trials.”

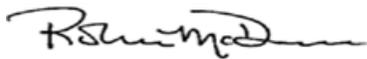
Nothing in this Order otherwise modifies the requirements and operating capacities established in CDPHE PHO 20-35.

Furthermore, DDPHE strongly urges Denver residents to remain vigilant in efforts to reduce the spread of COVID-19 by maintaining Social Distancing and strictly complying to DDPHE’s Face Covering Order. If case numbers continue to rise, the City and County of Denver may trigger Level 3 of CDPHE PHO 20-35, which will directly impact operating capacities for office-based businesses, retail, manufacturing, personal services, limited healthcare settings, restaurants, houses of worship, indoor events, outdoor events, organized sports, gyms, and outdoor guided activities.

Pursuant to section 24-24 of the Denver Revised Municipal Code, it is unlawful for any person to fail to comply with this Order. Any person who fails to comply with this Order may also be subject to a civil penalty of up to nine hundred ninety-nine dollars (\$999.00) per violation. Enforcement actions are intended to be cumulative in nature and Denver may pursue one or more civil, criminal, and administrative actions, fees, fines, sentences, penalties, judgments, and remedies and may do so simultaneously or in succession.

This Order shall be in effect immediately through Monday, November 16, 2020, unless rescinded, superseded, or amended in writing by the Executive Director of the Department of Public Health & Environment.

Issued by:



Robert M. McDonald
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Executive Director, Denver Dept of Public Health & Environment

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