

June 1, 2021

ORDER

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 the COVID-19 virus. More than fourteen months later, the City and County of Denver remains under this local disaster declaration.

On April 16, 2021, the Colorado Department of Public Health and Environment (“CDPHE”) issued PHO 20-38, implementing new requirements to mitigate the spread of COVID-19. On April 16, 2021, the Executive Director of the Denver Department of Public Health & Environment (“DDPHE”) issued a public health order (“PHO”) adopting CDPHE PHO 20-38.

On May 2, 2021, CDPHE issued an amended PHO 20-38 (“Amended PHO 20-38”). On May 14, 2021, CDPHE issued a Second Amended PHO 20-38. On May 15, 2021, DDPHE issued an amended order adopting the Second Amended PHO 20-38 with addition requirements.

On May 31, 2021, CDPHE issued a Third Amended PHO 20-38. This order hereby rescinds and replaces the DDPHE PHO, dated May 15, 2021, and adopts the Third Amended PHO 20-38 with the following modifications:

- I. All individuals three (3) years of age or older (“Individuals”) must wear a Face Covering over their nose and mouth in settings where face coverings are required pursuant to the Third Amended PHO 20-38; and
- II. Indoor Events, seated or unseated, where more than 2,000 people are gathered in a room (excluding staff) in a Public Indoor Space must obtain prior approval through DDPHE. “Public Indoor Space” means any enclosed indoor area that is publicly or privately owned, managed, or operated to which individuals have access by right or by invitation, expresses or implied, and that is accessible to the public, serves as a place of employment, or is an entity providing services. Public Indoor Spaces does not mean a person’s residence, including a room in a motel or hotel or a residential room for students at an educational facility.

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.

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If not rescinded, superseded, or amended in writing by the Executive Director of the Department of Public Health & Environment, this Order will be effective immediately and expire on July 1, 2021.

Issued by:

Robert McDonald

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

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