



DON BATCHELDER
BEN TISDEL
JOHN E. PETERS

BOARD OF HEALTH

P.O. Box C • Ouray, Colorado 81427 • 970-325-7320 • FAX: 970-325-0452

May 13, 2020

Jill Hunsaker Ryan
Executive Director
Colorado Department of Public Health and Environment
4300 Cherry Creek South Drive
Denver, CO 80246

RE: Variance Request for Executive Order D 2020 044 and CDPHE Order 20-28

Dear Director Ryan,

Ouray County is respectfully requesting a variance from the provisions of Governor Polis' Executive Order D 2020 044 Safer at Home, and CDPHE Order 20-28. A variance, as outlined in CDPHE Order 20-28, III.V. and Appendix G., will allow Ouray County to implement its own reopening plans for short-term, vacation-style rentals such as those arranged through an online hosting platform like VRBO or Airbnb (CDPHE Order 20-28, Appendix F.2). This would help restore the balance between community health and our economy in a manner and time frame that best meets the needs of our community.

Ouray County's first positive case of COVID-19 was reported on April 3, 2020. To date, we have six positive cases (6.5% of all tests conducted). The most recent positive case of COVID-19 was confirmed on May 7, 2020, which was 6 days ago.

We believe Ouray County to be at a place where it makes sense to incrementally loosen restrictions in a way that is slightly different than what's outlined in the Safer-At-Home Order. Our local economy during this time of year is heavily dependent on tourism and the visitors that come through. Many of our homeowners are dependent on the revenue that comes from providing this type of service. Again, we respectfully request a variance to afford our local homeowners, who are properly licensed, the ability to short-term rent their homes in a safe manner while following the applicable CDPHE Environmental Cleaning Guidance for COVID-19.

Our local public health agency will continue to regulate social behaviors, events, types of business that may reopen, and travel into and around the county, to control disease transmission. Additionally, hospital capacity in neighboring Montrose County remains more than adequate to address COVID-19 cases as well as other medical issues in our regional service area.

We greatly appreciate your time in considering our request for a variance from part of the executive order.

Sincerely,


Don Batchelder
Chair


Ben Tisdell
Vice Chair


John E. Peters
Commissioner Member

OURAY COUNTY VARIANCE REQUEST FOR THE SAFER-AT-HOME EXECUTIVE ORDER AND PUBLIC HEALTH ORDER

Ouray County is respectfully requesting a variance from one provisions of Governor Polis' Executive Order 2020 044 Safer at Home, and CDPHE Order 20-28. A variance, as outlined in CDPHE Order 20-28, III.V. and Appendix G., will allow Ouray County to implement its own reopening plan for short-term, vacation-style rentals (CDPHE Order 20-28, Appendix F.2) in a time frame that best meets the needs of our community.

Ouray County has developed Safer at Home toolkits for each industry, which include detailed guidance, sign templates, symptom check template, and frequently asked questions. We have teams who will visit businesses to provide technical assistance and we have a dedicated hotline for businesses to ask specific questions regarding implementation of the Order.

CONDITIONS FOR LIFTING RESTRICTIONS

The World Health Organization has set forth the following guidelines for transitioning from a “scenario of community transmission to a sustainable, steady-state of low-level or no transmission:”

1. Disease Transmission is Under Control
 - There are a total of 6 positive or suspected positive cases as of 05/13/2020
 - Only one of the positive cases is an active infection
 - Hospitalizations among Ouray County residents have been minimal; there have been 2 total hospitalizations (1 discharged, 1 death) as of 05/13/2020
 - Ouray County's online Symptom Tracker was launched 4/28/2020 and has had 35 entries
2. There are Sufficient Health System and Public Health Capabilities
 - On average, Montrose Memorial Hospital has enough PPE to last one month under normal conditions. Montrose Memorial Hospital has reserved 10% of the critical PPE supplies from the local Medical Cache and Strategic National Stockpile allocation to backfill the hospitals as needed
 - The Ouray County Public Health Agency Epidemiology team consists of two individuals who do contact investigations on every positive case. Contact tracing is also performed with people who were in direct contact with identified positive cases
 - Among positive cases in Ouray County, over half have been traced to a known source
3. Workplace Preventive Measures are Established
 - Guidelines addressing prevention have been distributed to schools, workplaces, and other essential places
4. Risk of Imported Cases Managed
 - Limits have been set for non-essential travel
 - There are currently restrictions to prohibit camping in State Parks
 - There are protocols in place related to transporting patients to Montrose County
 - The County has had all lodging closed since March 26, 2020
 - The County has ordered all second homeowners and seasonal residents to self-quarantine for 14 days upon arrival in Ouray County since April 7, 2020
 - The virus is not as prevalent in Ouray County due to the more restrictive measures that were taken

- Ouray County Public Health Agency is now better able to contact trace and isolate suspected or confirmed cases
5. Communities are Fully Engaged
- Ouray County Public Health Agency is working with local businesses to implement physical distancing guidelines
 - Ouray County Public Health Agency is working with local residents on education and compliance related to physical distancing guidelines
 - Ouray County Public Health Agency is working with outdoor recreation facilities to implement physical distancing guidelines

DETERMINING SUCCESS DURING ALL PHASES OF REOPENING

The determination on whether the physical distancing policies are working will be based on: **1) keeping the proportion of positive tests to less than 10% of overall tests conducted, and 2) staying below the threshold of less than 15 COVID-19 hospitalizations (from any county)** at our local hospital (Montrose Memorial Hospital). If respective numbers for either of these measures exceeds the stated limit, actions will be taken to increase physical distancing practices in Ouray County and it may be necessary to reissue local Stay-At-Home orders. It is vital that everyone participate in this effort.

OURAY COUNTY VARIANCE

Beginning on May 15, 2020, short-term, vacation-style rentals, such as those arranged through an online hosting platform such as VRBO or Airbnb, can be rented for a period of 30 days or fewer, within the following guidelines:

Short-Term Rentals

- Keep a copy of the driver's license, or other sufficient ID of the head of household for each group checking in, for 30 days for the purposes of epidemiological tracking by the health dept., if needed;
- Increase sanitation of common areas;
- Encourage guests to wear face coverings while in indoor common areas or areas where social distancing cannot be maintained;
- Encourage 6ft social distancing guidelines in all common areas;
- Private, non-communal hot tubs, pools, or spas that have been treated with chlorine or bromine per CDC regulations can be used
- Temperature and symptom checks for employees encouraged;
- Keep a cleaning log that can be provided upon request;
- All lodging facilities that provide a room or other rental (including a cabin, house, or unit) shall restrict access to each room or other rental from any person for a period of 24 hours after a sick person has checked-out;
- Cleaning staff may enter the room or rental after 24 hours if they have received supplies and training specific to personal protective measures;
- Check guests in and out digitally/over phone when possible;
- Upon check-out, ask guests to identify if anyone was sick during their stay;
- Designate a staff member with proper training and personal protective equipment to attend to sick guests if needed;
- Launder all exposed linens and cleaning supplies separately;
- Provide guests with sanitation solutions or wipes when available;

- Follow recommended CDC guidance when cleaning rooms used by a known case or a quarantined or isolated individual : [Interim Guidance for Environmental Cleaning and Disinfection for U.S. Households with Suspected or Confirmed Coronavirus Disease 2019](#)
- Open outside doors and windows to increase air circulation in the area
- Short-term lodging facilities do not include rental of a bedroom in an owner-occupied home
- No more than 10 people allowed in a rental unit