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Office of Communication

1675 W. Garden of the Gods Rd., Suite 2044  
Colorado Springs, CO 80907  
(719) 578-3199 *phone*  
(719) 575-8664 *fax*  
[www.elpasocountyhealth.org](http://www.elpasocountyhealth.org)

## NEWS RELEASE

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Contact: Michelle Hewitt, Public Health Information Officer  
(719) 578-3239 office; (719) 244-1947 cell

### **El Paso County Public Health provides update on provisions of the local restaurant variance**

**El Paso County, CO** – Recognizing that information is rapidly evolving, El Paso County Public Health is providing an update on the provisions of the local restaurant variance.

Public Health is experiencing increases in calls and emails due to the abundance of information to interpret. Our goal is to serve as a local resource for our community and the various business sectors. There may be delays in response due to the high volume of requests for information.

Regarding the existing [Public Health Order 20-28](#) (PHO 20-28) and the local restaurant variance request that was approved yesterday, some of the key takeaways to date include:

- Food trucks are currently able to operate under PHO 20-28, as their structure is inherently set up as carry-out/pick up.
  - However, food trucks cannot set up tables to allow for adjacent dining or for large groups or special events.
  - Due to the structure of PHO 20-28, food trucks **cannot** partner with a brewery and classify the brewery as a restaurant.
- If a brewery has a Retail Food License from El Paso County, they can now operate under the local El Paso County variance, regardless of the type of liquor license they have.
  - However, if a brewery **does not** have a Retail Food License, they cannot operate under the local El Paso County variance.
- The Colorado Department of Public Health and Environment (CDPHE) did post [guidance regarding indoor and outdoor on-premise dining](#) today on their website so businesses can prepare to reopen. This guidance is not in effect yet, but the date will be announced soon.
- **Please note, under the local El Paso County variance, restaurants are currently allowed to operate.**

There is also the possibility to expand restaurant capacity by proposing a plan to safely allow more than 50 customers. If you are a restaurant and would like to do so, please email your plan to [healthinfo@elpasoco.com](mailto:healthinfo@elpasoco.com). Please include how each seating area will be completely separated by including a floor plan or drawing of your proposed seating areas, including the spacing of each table.

Public Health is committed to providing our residents, businesses and community partners with the most up-to-date and transparent information. We are available as a resource and encourage people to reach out with any questions. If you have questions about the local variance, please contact our dedicated call-line at (719) 578-3176 or email your questions to [www.elpasocountyhealth.org](http://www.elpasocountyhealth.org).

To learn more about the El Paso County variance:

- [El Paso County Alternative Suppression Plan for Restaurants](#)
- [CDPHE Approval Letter for El Paso County Variance Request](#)