

Meeting Minutes of the Board of Public Health and Environment



Date: 6/8/2023

Location: 101 W Colfax Ave Room 816, Denver, CO, 80202

<input checked="" type="checkbox"/> Genene Duran, Chairperson	<input checked="" type="checkbox"/> Jennifer Jaskolka	<input type="checkbox"/> Cathy Cooney
<input checked="" type="checkbox"/> Jessica Brody	<input checked="" type="checkbox"/> Alisha Brown	<input type="checkbox"/>
<input checked="" type="checkbox"/> Jim Garcia	<input checked="" type="checkbox"/> Chris Wiant	<input type="checkbox"/>

Agenda Item	Description of Agenda Item	Action/Decisions
BPHE Docket #23-10	Petition for variance from Section 2-202 of the Rules and Regulations Governing Residential Health. Petitioner: Marilyn Bernier. Respondent: Public Health Investigations Division, Denver Department of Public Health and Environment.	The Board denies the variance.

Summary of Decision

On May 1, 2023, Marilyn Bernier (“Petitioner”) filed a petition for variance (“Petition”) with the Board of Public Health and Environment (“Board”) requesting a variance from Section 2-202 of the Rules and Regulations Governing Residential Health. The Department of Public Health and Environment (“Department”) responded in opposition to the Petition. The matter was presented to the Board on June 8, 2023. The Board hereby finds that Petitioner has failed to meet her burden of proof pursuant to section 3.10 of the Rules and Regulations Governing Hearings Before the Board of Public Health and Environment, dated June 21, 2022, and, as such, denies the variance request.

Agenda Item	Description of Agenda Item	Action/Decisions
BPHE Docket #23-09	Petition for variance from Section 8-106 of the Denver Rules and Regulations Governing Food Establishments, and from Sections 1.0.G and 5.0.E of the Denver Rules and Regulations Governing Off-Leash Enclosures. Petitioner: Skiptown, LLC. Respondent: Public Health Investigations Division, Denver Department of Public Health and Environment	The Board approves the variance with conditions
<p data-bbox="92 529 390 561">Summary of Decision</p> <p data-bbox="92 607 1980 833">On April 25, 2023, Jack Reutzel, on behalf of Skiptown, LLC (“Petitioner”), filed a petition for variance (“Petition”) with the Board of Public Health and Environment (“Board”) requesting a variance from Section 8-106 of the Denver Rules and Regulations Governing Food Establishments, and from Sections 1.0.G and 5.0.E of the Denver Rules and Regulations Governing Off-Leash Enclosures. The Department of Public Health and Environment (“Department”) responded with support for the Petition subject to certain conditions. The Board hereby finds that Petitioner has met its burden of proof pursuant to section 3.10 of the Rules and Regulations Governing Hearings Before the Board of Public Health and Environment, dated June 21, 2022, and, as such, grants the variance with the following conditions:</p> <ul data-bbox="239 878 1761 987" style="list-style-type: none"> <li data-bbox="239 878 1761 911">○ Petitioner shall comply with all conditions set forth in the Department’s Recommendation dated May 9, 2023, and <li data-bbox="239 956 1665 987">○ Petitioner and the Department shall report back to the Board in twelve months to provide a status update. 		