

Amador County Public Health Department

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**ORDER OF THE HEALTH OFFICER
OF THE COUNTY OF AMADOR DIRECTING
ALL INDIVIDUALS LIVING IN THE COUNTY TO REMAIN AT THEIR PLACE OF
RESIDENCE EXCEPT THAT THEY MAY LEAVE TO PROVIDE OR RECEIVE
CERTAIN ESSENTIAL SERVICES OR ENGAGE IN CERTAIN ESSENTIAL
ACTIVITIES, AND WORK FOR ESSENTIAL BUSINESSES AND GOVERNMENTAL
SERVICES; DIRECTING ALL BUSINESSES AND GOVERNMENTAL AGENCIES
TO CEASE NON-ESSENTIAL OPERATIONS AT PHYSICAL LOCATIONS IN THE
COUNTY; PROHIBITING ALL NON-ESSENTIAL GATHERINGS OF ANY NUMBER
OF INDIVIDUALS; AND ORDERING CESSATION OF ALL NON-ESSENTIAL
TRAVEL**

DATE OF ORDER: APRIL 3, 2020

Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295, *et seq.*)

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER OF THE COUNTY OF AMADOR (“HEALTH OFFICER”) ORDERS:

1. This Order supersedes the March 20, 2020 Order of the Health Officer directing all individuals to Stay at Home except for essential activities (“Prior Stay at Home Order”). This Order clarifies and extends the Prior Stay at Home Order, and is intended to supplement and clarify the statewide order to stay at home issued by the Governor on March 19, 2020, pursuant to Executive Order N-33-20, which can be found at <https://covid19.ca.gov/img/Executive-Order-N-33-20.pdf> (“State Order”). All provisions of this Order should be interpreted to effectuate this intent, and to be consistent with the State Order and the State Public Health Officer’s March 22, 2020 designated list of “Essential Critical Infrastructure Workers,” which can be found at <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf>, and the updated March 28, 2020 Guidance on the Essential Critical Infrastructure Workforce issued by the U.S. Department of Homeland Security, which can be found at https://www.cisa.gov/sites/default/files/publications/CISA_Guidance_on_the_Essential_Critical_Infrastructure_Workforce_Version_2.0_Updated.pdf.
2. The intent of the Order is to slow the transmission of Novel Coronavirus Disease 2019 (“COVID-19”) by ensuring that the maximum number of people remain safer at home in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the maximum extent possible. When people need to leave their places of residence, whether to obtain

or perform vital services, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times reasonably possible comply with Social Distancing Requirements as defined in Section 10 below. Failure to comply with any of the provisions of this Order constitutes an imminent threat to public health.

3. All individuals currently living within the County of Amador (the “County”) are ordered to remain at their place of residence. To the extent individuals are using shared or outdoor spaces, they must maintain social distancing of at least six feet from any other person when they are outside their residence whenever possible. All persons may leave their residences only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 10.
4. All businesses with a facility in the County, except Essential Businesses as defined below in Section 10, are required to cease all activities at facilities located within the County except Minimum Basic Operations, as defined in Section 10. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined in Section 10 below, including, but not limited to, when any customers are standing in line. For the purposes of this Order, businesses as used in this paragraph include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.
5. All public and private gatherings of any number of people occurring outside a household or living unit are prohibited, except for the limited purposes as expressly permitted in Section 10. Nothing in this Order prohibits the gathering of members of a household or living unit.
6. People shall use public transit only for purposes of performing Essential Activities or to travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions. People riding on public transit must comply with Social Distancing Requirements as defined in Section 10 below, to the greatest extent feasible. This Order allows travel into or out of the County to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions.
7. This Order is issued based on evidence of the occurrence of COVID-19 throughout counties in our region, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the age, condition, and health of a significant portion of the population of the County places it at risk for serious health complications, including death, from COVID-19. Due to the occurrence of the COVID-19 virus in the region, the physical damage to property caused by the virus, the potential for it to spread rapidly into and through the community, and the World Health Organization declaring COVID-19 to be a pandemic world-wide, there is a public health emergency throughout the County. Making the problem worse, some individuals who contract the COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware they carry the virus. Because even people without symptoms can transmit the disease, and because evidence shows the disease is easily spread, gatherings can result in preventable transmission of the virus. The scientific evidence shows that at this stage of the emergency, it is essential to slow virus transmission as much as possible to protect the most vulnerable and to

prevent the health care system from being overwhelmed. One proven way to slow the transmission is to limit interactions among people to the greatest extent practicable. By reducing the spread of the COVID-19 virus, this Order helps preserve critical and limited healthcare capacity in the County.

8. This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, the March 12, 2020 Declaration of a Local Health Emergency by the Health Officer, the March 17, 2020 Proclamation of a Local Emergency by the Amador County Director of Emergency Services, the March 19, 2020 Resolutions by the Board of Supervisors ratifying and extending the local emergency and local health emergency, the Governor's March 19, 2020 statewide Executive Order to Stay at Home, and the March 13, 2020 declaration of a national emergency by the President of the United States.
9. This Order comes after the release of substantial guidance from the County Health Officer, the Centers for Disease Control and Prevention, the California Department of Public Health, and other public health officials throughout the United States and around the world, including a variety of prior orders to combat the spread and harms of COVID-19. The Health Officer will continue to assess the quickly evolving situation and may modify or extend this Order, or issue additional Orders, related to COVID-19.

10. Definitions and Exemptions.

- a. For purposes of this Order, individuals may leave their residence only to perform any of the following "Essential Activities." But people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home.
 - ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
 - iii. To engage in individual outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example, walking, hiking, biking, running, horseback riding, and similar types of individual outdoor activities. Businesses that facilitate individual outdoor activities involving in-person financial transactions, shared or rented equipment, or other exchanges that increase the

risk of contagion are not considered Essential Activities unless identified as Essential Activities elsewhere within the Order.

- iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
 - v. To care for a family member or pet in another household.
- b. For purposes of this Order, individuals may leave their residence to work for or obtain services at any “Healthcare Operations” including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, physical therapy provider, optometrists, chiropractors, or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. “Healthcare Operations” does not include fitness and exercise gyms and similar facilities. Pet grooming services are not essential unless necessary to the health of the animal.
- c. For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of “Essential Infrastructure,” including, but not limited to, public works construction, construction of housing, airport operations, water, sewer, gas, electrical, oil and gas production and refining including associated businesses and activities, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.
- d. For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others who need to perform “Essential Governmental Functions or Services,” as such may be determined by the governmental entity performing those functions or providing such services, are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing Essential Governmental Functions or Services. Each governmental entity shall identify and designate appropriate employees or contractors to continue providing and carrying out any Essential Governmental Functions or Services. All Essential Governmental Functions or Services shall be performed in compliance with Social Distancing Requirements as defined in this Section, to the extent possible.
- e. For the purposes of this Order, “Essential Businesses” means:
- i. Healthcare Operations and Essential Infrastructure;

- ii. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned or frozen food, dry goods, beverages, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
- iii. Any form of cultivation of products for personal consumption or use, including farming, ranching, livestock, and fishing, and associated activities, including, but not limited to, activities or businesses associated with planting, growing, harvesting, processing, cooling, storing, packaging, and transporting such products, or the wholesale or retail sale of such products, provided that, to the extent possible, such businesses comply with Social Distancing Requirements and otherwise provide for the health and safety of their employees;
- iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged, compromised or otherwise needy individuals;
- v. Newspapers, television, radio, and other media services;
- vi. Gas stations and auto-supply, auto-repair, and related facilities;
- vii. Banks and related financial institutions;
- viii. Hardware stores;
- ix. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
- x. Businesses providing mailing and shipping services, including post office boxes;
- xi. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
- xii. Laundromats, drycleaners, and laundry service providers;
- xiii. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis

- only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
- xiv. Businesses that supply products needed for people to work from home;
 - xv. Businesses that supply other essential businesses with the support or supplies necessary to operate;
 - xvi. Businesses that ship or deliver groceries, food, goods or services directly to residences;
 - xvii. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
 - xviii. Home-based care for seniors, adults, or children;
 - xix. Residential facilities and shelters for seniors, adults, and children;
 - xx. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
 - xxi. Service providers that enable residential transactions (including rentals, leases, and home sales), including, but not limited to, real estate agents, escrow agents, notaries, and title companies, provided that appointments and other residential viewings must only occur virtually or, if a virtual viewing is not feasible, by appointment and only if necessary to secure housing for someone who is without housing, for someone who may be without housing in the near future, or for someone in the essential response workforce who needs to relocate. No open house showings are allowed;
 - xxii. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions:
 - 1. Childcare must be carried out in stable groups of 12 or fewer (“stable” means that the same 12 or fewer children are in the same group each day).
 - 2. Children shall not change from one group to another.
 - 3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
 - 4. Childcare providers shall remain solely with one group of children;
 - xxiii. Construction (including residential and commercial construction) provided that such activity implements Social Distancing Requirements to the extent feasible and otherwise provides for the health and safety of their employees;

- xxiv. Landscapers, but only to the extent the landscaping is necessary for safety including but not limited to fire safety (e.g., limb removal, brushing clearing, creating defensible space);
 - xxv. Maintenance and service providers for swimming pools and spas;
 - xxvi. Animal boarding services;
 - xxvii. Beverage tasting rooms are not considered essential except that wineries may sell food and beverages (including alcohol), but only for delivery or carryout consistent with FDA and ABC regulations;
 - xxviii. Any business, industry, or worker not already listed above, but which is listed on the State's list of "Essential Critical Infrastructure Workers" or the federal Guidance on the Essential Critical Infrastructure Workforce, both of which are referenced in paragraph 1 above with links to the documents.
- f. For the purposes of this Order, "Minimum Basic Operations" include the following, provided that employees comply with Social Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:
- i. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
 - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
- g. For the purposes of this Order, "Essential Travel" includes travel within or without the County, or between the various counties, for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section below.
- i. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions or Services, Essential Businesses, or Minimum Basic Operations.
 - ii. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
 - iii. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related educational services.
 - iv. Travel to return to a place of residence from outside the jurisdiction.

- v. Travel required by law enforcement or court order.
 - vi. Travel required for non-residents to return to their place of residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional prior to commencing such travel.
 - vii. Travel engaged in interstate commerce and otherwise subject to the provisions of the Commerce Clause of the United States Constitution.
- h. For purposes of this Order, residences may include hotels, motels, shared rental units and similar facilities.
- i. For purposes of this Order, “Social Distancing Requirements” includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.
- j. Camping and short-term lodging is prohibited as follows:
- i. The Health Officer reiterates that neither Amador residents nor nonresidents should be traveling from their usual places of residence for the duration of the orders by the Governor and Health Officer except as expressly permitted as a means to accomplish essential functions. Staying in short term lodging, defined as lodging for a period of less than 30 days, to facilitate recreation, tourism or “sheltering in place” away from your ordinary residence is NOT an essential function, places undue strain on infrastructure and services, and is NOT permitted under the orders by the Governor or Health Officer.
 - ii. Short-Term Lodging Facilities (defined in this Order to include hotels, motels, condominiums, Airbnb, VRBO, campgrounds, or other related facilities) or other units that are used for COVID-19 mitigation and containment measures, including measures to protect homeless populations, may continue to operate for the limited purpose of providing such mitigation and containment measures (examples include the housing of displaced or otherwise homeless persons or the isolation or quarantine of persons directed to such status by the Health Officer). The term “campground” includes tent camping, cabin camping, and recreational- vehicle camping ordinarily used for occupancies of less than 30 days.
 - iii. Short-Term Lodging Facilities or other units that are used to house workers performing functions that are essential to maintain the continuity of operations for critical infrastructure, as listed in the federal Guidance referenced in paragraph 1, or were, prior to March 20, 2020, serving as primary residences for Amador County residents, may continue to operate for the limited purpose of housing those critical infrastructure workers.

- iv. Short-Term Lodging Facilities that ordinarily house residents of Amador County who were residing at that facility prior to March 20, 2020 may continue to house those people. To ensure this Directive does not displace residents who were in Amador County prior to the Order, nothing in this Order should be interpreted to preclude the continued residence of short term renters in hotels, motels or rentals where they were residing on or before March 20, 2020, no matter how the owner and lodger set the rental term.
- v. In the event of a question or uncertainty as to whether a particular short-term lodging use falls within the Governor’s exemptions (i.e., whether it constitutes a mitigation or containment measure, or involves a critical infrastructure worker), a written determination from the State Department of Public Health, the Amador County Health Department, or the Amador County Emergency Operations Center that the use is authorized, or a directive from any of those entities to allow the use, shall be adequate to authorize such use. In the event it is not possible to obtain a determination in writing, such determination may be received orally and documented by the lodging provider (name of authorizing person, entity, and date/time authorization made).

11. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code section 101029, the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order, if deemed necessary. This order is enforceable within incorporated cities pursuant to Health and Safety Code section 101375. The violation of any provision of this Order constitutes an imminent threat to public health.

12. This Order shall become effective immediately and will continue to be in effect until 11:59 p.m. on April 30, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Health Officer.

13. Copies of this Order shall promptly be: (1) made available at the County Government Center at 810 Court Street, Jackson, CA 95642, (2) posted on the County website (www.amadorgov.org), and such other websites as the County may determine; (3) distributed to the electronic and print press, and (4) provided to any member of the public requesting a copy of this Order.

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14. If any provision of this Order to the application thereof to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

IT IS SO ORDERED:



Rita H. Kerr, M.D.
Health Officer of the County of Amador

Dated: April 3, 2020

Approved as to form and legality:



Gregory Gillott
Amador County Counsel

Dated: April 3, 2020