



# Tuolumne County Health and Human Services Agency

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**Date:** May 11, 2020

## **ORDER OF THE HEALTH OFFICER OF THE COUNTY OF TUOLUMNE MODIFYING PREVIOUS COVID-19 RELATED ORDERS**

**WHEREAS**, Currently, Coronavirus Disease 2019 (COVID-19) has been declared a pandemic by the World Health organization. As of today, there are over 4,013,728 cases in the world and over 278,993 deaths. In California, there are 67,939 confirmed cases and 2,770 deaths. We can expect that the number of cases to increase significantly should continued action not be taken to decrease the spread of the disease.

**WHEREAS**, while there are two (2) confirmed COVID-19 cases within the County, the Tuolumne County Department of Public Health expects additional cases of COVID-19 to be confirmed in residents of Tuolumne County in the coming weeks; and

**WHEREAS**, due to an increase in COVID-19 cases within neighboring counties, and that Tuolumne County has a high tourist population in the summer, additional restrictions are necessary for the continued safety of local residents; and

**WHEREAS**, in order to preserve the public health and safety, and to help ensure the local and regional healthcare delivery system is capable of serving all who may require care during the course of this emergency, further clarification and local implementation of Governor Newsom's Executive Order N-33-20 is necessary and appropriate; and

**WHEREAS**, on May 7, 2020, the State Public Health Officer issued an Order addressing the gradual reopening of the State and provided further direction to the local Health Officers; and

**WHEREAS**, the State Public Health Officer has articulated a four-stage framework—which includes provisions for the reopening of lower-risk businesses and spaces (“Stage Two”), to be followed by the reopening of higher-risk businesses and spaces (“Stage Three”)—to allow Californians to gradually resume various activities while continuing to preserve public health in the face of COVID-19; and

**WHEREAS**, the State Public Health Officer has ordered on May 8, 2020 that because the low and stable data reported by some local health officers in their local health jurisdictions, combined with sufficient COVID19 preparedness, justifies allowance for some variation in the speed with which some local health jurisdictions will be able to move through the phases of Stage 2.

**WHEREAS**, the State Public Health Officer has established criteria to determine whether and how, in light of the extent to which the public health is menaced by COVID-19 from place to place within the State, local health officers may (during the relevant stages of reopening) issue directives to establish

and implement public health measures less restrictive than any public health measures implemented on a statewide basis pursuant to the statewide directives of the State Public Health Officer; and

**WHEREAS**, the State Public Health Officer has established procedures through which local health officers may (during the relevant stages of reopening) certify that, if their respective jurisdictions are subject to proposed public health measures (which they shall specify to the extent such specification may be required by the State Public Health Officer) that are less restrictive than public health measures implemented on a statewide basis pursuant to the statewide directives of the State Public Health Officer, the public health will not be menaced; and

**WHEREAS**, the State Public Health Officer has additionally established procedures to permit, in a manner consistent with public health and safety, local health officers who submit such certifications to establish and implement such less restrictive public health measures within their respective jurisdictions.

**WHEREAS**, on May 11, 2020, the Health Officer of the County of Tuolumne submitted a COVID-19 County Variance Attestation Form to the California Department of Public Health for local variance to Stage 2 of California's Roadmap to Modify the Stay-At-Home Order. The attestation will be publicly posted by the California Department of Public Health and is also included here as Appendix A.

**NOW THEREFORE**, pursuant to California Health and Safety Code Sections 101040, 101085, and 120175, 120175.5 Title 17 California Code of Regulations Section 2501, and Tuolumne County Ordinance Code Chapter 2.40, the Health Officer of the County of Tuolumne orders as follows:

Due to the nature of the pandemic, the Interim Health Officer Dr. Liza Ortiz declares a modification of all current Orders for the safety of Tuolumne County residents, as detailed below:

1. The State Health Officer order and the Governor's Executive Orders and updates will take effect in Tuolumne County immediately upon modification with the following clarifications and modifications.
  - a. Short-term lodging facilities (including short-term rentals, vacation rentals, timeshares, hotels, motels, campgrounds and other short-term lodgings) within the County of Tuolumne may remain open for the following limited purposes:
    - i. To serve as short-term lodging facilities which are used for the following COVID-19 mitigation and containment measures:
      1. Lodging to protect the homeless population;
      2. Lodging for persons who have been displaced and cannot return to their residence because there is a person residing at the residence that must isolate or quarantine or is at a higher risk of severe illness;
      3. Lodging for persons who need to isolate or quarantine
      4. Short-term lodging facilities (including short-term rentals, vacation rentals, timeshares, hotels, motels, campgrounds and other short-term lodgings) which are used to house essential workers performing functions that are essential to maintain the continuity of operations for critical infrastructure, as listed here: <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf> and here: <https://covid19.ca.gov/essential-workforce/>
      5. Further, short-term lodging facilities may be used to house those who require emergency sheltering due to other reasons such as, but not limited to, sheltering domestic violence victims or evacuees from a wildland fire.
  - b. No homeowner, agent of the homeowner, marketing agent, listing agent, or real estate agent shall engage in efforts to rent or lease any short-term rentals,

vacation rentals, timeshares, hotels, motels, and/or other short-term lodging within the County of Tuolumne for any purpose other than those identified item a. above.

- c. In the event of a question or uncertainty as to whether a particular short-term lodging use falls within the Public Health Officer's exemptions (i.e., whether it constitutes a mitigation or containment measure, or involves an essential worker), a written determination from the County of Tuolumne Health Officer, that the use is authorized, or a directive from the Health Officer shall be adequate to authorize such use.
2. To the extent that sectors are re-opened by State Health Officer orders or Local Health Officer attestation, Californians may leave their homes to work at, patronize, or otherwise engage with those businesses, establishments, or activities and must, when they do so, continue at all times to practice physical distancing, minimize their time outside of the home, and wash their hands frequently. To prevent further spread of COVID-19 to and within other jurisdictions within the State, Californians should not travel significant distances and should stay close to home. The State's Public Health Officer's March 19, 2020, Order otherwise remains in full effect.
    - a. Effective at the time the State posts the attestation, the following sectors are reopened by local attestation in Tuolumne County, provided they implement the adaptations listed in this and State Health Officer order as well as guidance provided by the State. If State guidance for the sector is not posted by the State, that the sector is not permitted to open until guidance is posted by the State.
      - i. destination retail (including shopping malls and swap meets),
      - ii. car washes,
      - iii. pet grooming,
      - iv. tanning facilities,
      - v. landscape gardening,
      - vi. office-based businesses (with telework strongly encouraged and implemented when possible),
      - vii. dine-in restaurants (with modification to adhere to social distancing and not permitting other facility amenities, such as bars and gaming areas),
      - viii. childcare facilities open for essential workers and other workers employed in businesses allowed to reopen in Stage 2 (see State guidance from the State Department of Social Services, Community Care Licensing Division),
      - ix. open gallery spaces, and
      - x. outdoor museums.
    - b. The following sectors, businesses, establishments, or activities are **not permitted** to operate in the State of California at this time pursuant to State regulations:
      - i. Personal services such as nail salons, tattoo parlors, gyms and fitness studios,
      - ii. Hospitality services, such as bars and lounges,
      - iii. Entertainment venues, such as movie theaters, pro sports, gaming, gambling and arcade venues,
      - iv. Indoor museums, kids museums and gallery spaces, zoo, and libraries,
      - v. Community centers, including public pools, playgrounds and picnic areas,
      - vi. Religious services and cultural ceremonies
      - vii. Nightclubs
      - viii. Concert venues
      - ix. Festivals

- x. Theme parks
  - xi. Hotels/lodging for leisure and tourism
3. All public and private gatherings of any number of people not part of a single household or living unit are generally prohibited by the State Order. That prohibition is incorporated into this Order by reference, and gatherings are prohibited except for the limited purposes expressly permitted in this Order (e.g., to engage in essential activities). There are no restrictions on the gathering of members of a household or living unit. Should the State Public Health Officer modify this order, it shall take immediate effect in Tuolumne County.
  4. Current information regarding the state orders can be found here:  
<https://covid19.ca.gov/>
  5. Current information regarding essential critical workforce can be found here:  
<https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf>  
And here: <https://covid19.ca.gov/essential-workforce/>
  6. All facilities must first perform a detailed risk assessment and implement a site-specific protection plan. Adaptations need to be made before workplaces can open. Businesses must post their protection plan in their business location, submit a copy to Tuolumne County Public Health via email ([health@tuolumnecounty.ca.gov](mailto:health@tuolumnecounty.ca.gov)) and make it available upon request to others.
    - a. Current information regarding guidance for different business sectors can be found here: <https://covid19.ca.gov/roadmap/#guidance>
      - i. It is understood that business sectors which do not have guidance posted by the state are not to open until state guidance is posted at the site listed above.
    - b. The goal is a safe, clean environment for workers and customers. Businesses may use effective alternative or innovative methods to build upon the guidance.
    - c. Before opening, all facilities must:
      - i. Perform a detailed risk assessment and implement a site-specific protection plan
      - ii. Train employees on how to limit the spread of COVID-19, including how to screen themselves for symptoms and stay home if they have them
      - iii. Implement individual control measures and screenings
      - iv. Implement disinfecting protocols
      - v. Implement physical distancing guidelines

To that end, I ask for your cooperation with the following Health Officer's Order:

I, as Health Officer for the County of Tuolumne, as duly authorized under the Health and Safety Code, Section 120175, am requiring that all residents in Tuolumne County, comply with the recommendations put forth by the Centers for Disease Control and Prevention.

This Order shall be effective immediately upon posting of the attestation by the California Department of Public Health and will remain in effect until further notice. This Order replaces all previous orders related to the COVID-19 emergency, with the exception of the Order issued on March 26, 2020, regarding Febrile Respiratory Illness Screening which remains in effect.

I, as Health Officer for the County of Tuolumne, encourage voluntary compliance with this Health Officer's Order, but both civil and criminal enforcement actions are permitted under the Health and Safety Code.

I ask that anyone who wishes to discuss this Order, contact the Public Health Department at (209) 533-7401.



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Liza M. Ortiz, MD, MPH  
Health Officer

5/11/2020

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Date