



Tuolumne County  
Health and Human Services Agency

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Date: December 7, 2020

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

This order supersedes the previous Health Officer Order on Short Term Lodging, rewritten on September 23, 2020 and emphasizes existing State requirements, for the protection of visitors and residents (including the hospitality workforce).

**WHEREAS**, a declaration of emergency was issued by the Governor of the State of California on March 18, 2020, and local emergencies have been declared in Tuolumne County in response to the virus COVID-19; and

**WHEREAS**, the California Department of Public Health discourages non-essential travel as a means to slow the spread of COVID-19, and California's Executive Order N33-20 remains in effect, limiting activities throughout the State including travel for nonessential purposes; and

**WHEREAS**, there is limited critical healthcare infrastructure, including hospital beds, ventilators and workers, within the County of Tuolumne capable of adequately treating mass numbers of patients at a single time – should the virus spread unchecked; and

**WHEREAS**, as a result of the foregoing, limitations on lodging occupancy within the County of Tuolumne, reinforcement of State-mandated cleaning standards for lodging facilities and the imposition of a visitor notification requirement are deemed necessary to protect travelers to and residents of Tuolumne County from infection and to preserve the region's limited healthcare capacity; and

**WHEREAS**, the interim State Health Officer on August 28, 2020, amended the March 18, 2020, State Health Officer Order, issuing the "Blueprint for a Safer Economy" establishing a tiered system of restrictions based on the average number of cases in a seven-day period and the test positivity percentage; and

**WHEREAS**, this tiered system ranges from the least restrictive "Yellow"/Minimal/Tier 4 through "Orange"/Moderate/Tier 3 and "Red"/Substantial/Tier 2 to "Purple"/Widespread/Tier 1, each tier describing actions that must be taken in specific sectors; and

**WHEREAS**, the interim State Health Officer on December 3, 2020, issued the “Regional Stay at Home” Order directing counties within specified regions to implement actions to limit the spread of COVID-19 based upon available Intensive Care Unit beds; and

**WHEREAS**, the “Regional State at Home” Order and supporting documents direct closure of short-term lodging with specified exceptions.

**NOW, THEREFORE**, under the authority of California Health and Safety Code sections 101040, 101085 and 120175 and Title 17 California Code of Regulations, Section 2501, the Tuolumne County Health Officer HEREBY MAKES THE FOLLOWING ORDERS, which shall be applicable within the County of Tuolumne:

All short-term lodging facilities (including short-term rentals, vacation rentals, Air BnBs, timeshares, or similar units and hotels and condo/hotels) shall comply with the following:

1. When the County of Tuolumne is in the “Yellow”/Minimal/Tier 4:
  - a. Businesses, renters, and property owners in the short-term lodging sector shall adhere to the guidance provided in the state guidance entitled “COVID-19 INDUSTRY GUIDANCE: Hotels, Lodging, and Short Term Rentals” and available at <https://files.covid19.ca.gov/pdf/guidance-hotels-lodging-rentals--en.pdf>.
  - b. Cleaning staff shall be provided with the following personal protective equipment (PPE) and shall wear such PPE while cleaning:
    - i. Surgical Mask;
    - ii. Eye protection; and
    - iii. Gloves.
  - c. A three-hour period is required from when a room is vacated until housekeeping can commence to allow for any airborne particles to settle.
  - d. Fitness Centers may be open with 50% occupancy.
  - e. Indoor Pools may be open.
  - f. Spa facilities may be open.
2. When the County of Tuolumne is in the “Orange”/Moderate/Tier 3:

- a. In addition to the items required in Tier 4, sections 1.a through c, a 24-hour rest period is recommended, but not required between guest occupancies.
  - b. Fitness Centers may be open with 25% occupancy.
  - c. Indoor pools may be open.
3. When the County of Tuolumne is in the “Red”/Substantial/Tier 2:
  - a. In addition to the items required in Tier 3, section 2.a :
    - i. For short term lodgings that are single occupancy, a 24-hour rest period is required between guest occupancy.
    - ii. For short term lodgings that have multiple external entrances that prevent commingling of guests, either a 24-hour rest period is required between guest occupancy or an occupancy level limited to 70% of capacity over a 7-day period extending from Monday through Sunday of each week is required.
  - b. Fitness centers may be open with 10% occupancy.
4. When the County of Tuolumne is in the “Purple”/Widespread/Tier 1:
  - a. In addition to the items required in Tier 3, section 2.a, all lodgings are required to have a 24-hour rest period between guest occupancy.
5. When the County of Tuolumne, as part of the San Joaquin Valley region, is directed by the State of California to implement a Regional Stay at Home order:
  - a. All hotels and lodgings will be closed to short-term occupancy for non-essential travel except as indicated in section 5.b.
  - b. Hotels and lodging cannot accept or honor out-of-state reservations for non-essential travel, unless the reservation is for at least the minimum time period required for quarantine and the persons identified in the reservation will quarantine in the hotel or lodging entity until after that time period has expired.
  - c. Hotels and lodging can only offer accommodation for COVID-19 mitigation and containment measures, treatment measures, accommodation for essential workers, or providing housing solutions, including measures to protect homeless populations.
  - d. Upon lifting of the Regional Stay at Home order, the County will be placed in a Blueprint tier based on current case rate and test percent positivity.
  - e. Should the State of California amend or clarify its orders regarding Hotels and Lodging, said regulations will be incorporated into this Order.
6. “COVID-19 Industry Guidance: Hotels, Lodging and Short-Term Rentals” released by the State of California on June 5, and updated on July 29, 2020, (“State Guidance”) remains in effect and is applicable statewide. Where the State Guidance uses permissive language (such as “should” or “consider”), such references shall be considered requirements and are hereby made mandatory within the County of Tuolumne, except that State Guidance recommending that portable high-efficiency air cleaners be installed, air filters be upgraded and other modifications be made to increase ventilation shall remain recommendations and are not made mandatory by

this Order. In the case of conflict, the stricter of the State Guidance or the Local Guidance shall prevail.

7. Hotel, lodging, and short-term rental operations with swimming pools and splash pads must take additional steps to ensure compliance with the section entitled “Additional Consideration for Swimming Pools and Aquatic Venues” within the “COVID-19 INDUSTRY GUIDANCE: Hotels, Lodging, and Short Term Rentals” and available at <https://files.covid19.ca.gov/pdf/guidance-hotels-lodging-rentals--en.pdf>.
8. All reservations and stays shall include only members of a single household/living unit.
9. Advertising or posting of hotel, condo/hotel or other short-term rental units for rent within the County of Tuolumne on any platform shall include the following language: “Governor Newsom’s Executive Order N-33-20, and associated guidance of the California Public Health Officer, continue to apply statewide. These advise Californians to avoid travelling long distances for vacations or pleasure as much as possible. This is to slow the spread of the coronavirus. Do not travel if you are sick, or if someone in your household has had coronavirus in the last two weeks. Do not travel with someone who is sick.”
10. The restrictions imposed by this Order will be reviewed as needed and shall remain in effect until April 30, 2021, unless modified, repealed or extended.

## General Provisions

1. This Order is issued as a result of the worldwide pandemic of COVID-19 disease, also known as “novel coronavirus.”
2. This Order is issued based on evidence of transmission of COVID-19, scientific evidence regarding the most effective approach to slow transmission of communicable diseases generally and COVID-19 specifically, as well as best practices as currently known and available to protect the public from the risk of spread of or exposure to COVID-19.
3. This Order is intended to reduce the likelihood of exposure to COVID-19, by referencing restrictions issued by the State of California and providing additional clarifications within the County of Tuolumne, thereby slowing the spread of COVID-19 in communities worldwide. As the presence of individuals increases, the difficulty and magnitude of tracing individuals who may have been exposed to a case rises exponentially.
4. This Order is issued in accordance with, and incorporates by reference: the March 4, 2020 Proclamation of a State Emergency issued by Governor Gavin Newsom; the March 13, 2020 Declaration of Local Health Emergency based on an imminent and proximate threat to public health from the introduction of novel COVID-19 in Tuolumne County; the March 17, 2020 Resolution of the Board of Supervisors of the County of Tuolumne proclaiming the existence of a Local Emergency in the County of Tuolumne regarding COVID-19 and ratifying and extending the Declaration of Local Health Emergency due to COVID-19; the guidance issued on March 11, 2020 by the California Department of Public Health regarding large gatherings of 250 people or more; Governor Gavin Newsom’s Executive Order N-25-20 of March 12, 2020 preparing the State to commandeer hotels and other places of temporary residence, medical facilities, and other facilities that are suitable as places of temporary residence or medical facilities as necessary for quarantining, isolating or treating individuals who test positive for COVID-19 or who have had a high-risk exposure and are thought to be in the incubation period; the guidance issued on March 15, 2020 by the Centers for Disease Control and Prevention, the California Department of Public Health, and other public health officials through the United States and around the world recommending the cancellation of gatherings involving more than fifty (50) or more persons in a single space at the same time; the March 17, 2020 order of the Public Health Officer prohibiting all gatherings with expected presence above fifty (50) individuals; and Governor Newsom’s Executive Order N33-20 of March 19, 2020 ordering all persons to stay at home to protect the health and well-being of all Californians and to establish consistency across the state in order to slow the spread of COVID-19.
5. This Order is made in accordance with all applicable State and Federal laws, including but not limited to: Health and Safety Code sections 101030, et seq.; Health and Safety Code sections 120100, et seq.; and Title 17 of the California Code of Regulations section 2501.

6. To the extent necessary, pursuant to Government Code sections 26602 and 41601 and Health and Safety Code section 101029, the Health Officer requests that the Sheriff ensure compliance with and enforcement of this Order.

7. This Order is made because of the propensity of the virus to spread person-to-person and also because the virus is causing personal property loss or damage due to its proclivity to attach to surfaces for prolonged periods of time.

8. Copies of this Order shall promptly be posted on the County of Tuolumne's website and provided to any member of the public requesting a copy of this Order.

I, as Health Officer for the County of Tuolumne, encourage voluntary compliance with this Order of the Health Officer. However, violation of this order is subject to fine, imprisonment or both. (California Health and Safety Code Section 120295).



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Eric Sergienko, MD, MPH  
Health Officer

12-07-2020

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Date