

DIRECTIVE OF THE SUTTER COUNTY AND YUBA COUNTY BI-COUNTY PUBLIC HEALTH OFFICER RESTRICTING ACTIVITIES IN RESPONSE TO COVID-19 OUTBREAK, WITH EXCEPTIONS AND EXEMPTIONS, AS SPECIFIED

(MARCH 18, 2020)

IT IS HEREBY DIRECTED THAT ALL INDIVIDUALS LIVING IN THE COUNTY REMAIN AT THEIR PLACE OF RESIDENCE EXCEPT THAT THEY MAY LEAVE TO PROVIDE OR RECEIVE CERTAIN SERVICES OR ENGAGE IN CERTAIN ACTIVITIES AND WORK FOR BUSINESSES AND GOVERNMENTAL SERVICES; EXEMPTING INDIVIDUALS EXPERIENCING HOMELESSNESS FROM THE DIRECTIVE BUT URGING THEM TO FIND EXISTING SHELTERS AND SEEK EXISTING PUBLIC SERVICES TO ADDRESS THEIR NEEDS; 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 DIRECTING CESSATION OF ALL NON-ESSENTIAL TRAVEL

- 1. Please read this Directive carefully. Your compliance with this Directive is necessary to slow the rate of spread of COVID 19. The Bi-County Public Health Officer (“Health Officer”) will re-evaluate the continuing need for this Directive as further data becomes available. The Health Officer will also be evaluating the information regarding compliance with this Directive to determine if it becomes necessary to issue a formal Order.**

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER OF THE COUNTIES OF SUTTER AND YUBA DIRECTS:

- 2. The intent of this DIRECTIVE is to ensure that the maximum number of people self-isolate in their places of residence to the greatest extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the utmost 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 as more fully identified in Section 11 below, they should at all times reasonably possible comply with Social Distancing Requirements as defined in Section 11 below. All provisions of this DIRECTIVE should be interpreted to effectuate this intent. Failure to comply with any of the provisions of this Directive constitutes an imminent threat to public health.**

3. All individuals currently living within Sutter and Yuba Counties (the "County ") are strongly directed to remain at their place of residence. To the extent individuals are using shared or outdoor spaces, they must, at all times as reasonably possible, maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, Essential Governmental Functions, Essential Travel, or to operate Essential Businesses, all as defined in Section 11. Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter, and to seek existing public services to address their needs
4. All businesses with a facility in the County, except Essential Businesses as defined below in Section 11, are directed to cease all activities at facilities located within the County except Minimum Basic Operations, as defined in Section 9. 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 11 below, including, but not limited to, when any customers are standing in line.
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 11. Nothing in this Directive prohibits the gathering of members of a household or living unit.
6. All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, except Essential Travel and Essential Activities as defined below in Section 11, is prohibited. People riding on public transit must comply with Social Distancing Requirements as defined in Section 11 below, to the greatest extent feasible. This Directive allows travel into or out of the County to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions.

7. This Directive is issued based on evidence of increasing occurrence of COVID-19 in the surrounding counties and throughout the State of California, 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 outbreak of the COVID-19 virus in the general public, which is now a pandemic according to the World Health Organization, there is a public health emergency throughout the County. Because even people with mild 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 Directive helps preserve critical and limited healthcare capacity in the County.
8. This Directive also is issued in light of the national guidelines to drastically decrease group gathering from 250 to 10. Additionally, there have been increased confirmed cases in the surrounding region, most notably Sacramento County has identified 45 cases and 3 deaths; likewise Placer County has identified 9 cases including one death. The number of confirmed cases in Sacramento nearly tripled in a matter of days.
9. This Directive issued by the Health Officer for Yuba and Sutter counties is effective as of 11:59 p.m. on Thursday, March 19, 2020, based on the previously stated facts including a significant and increasing number of suspected cases of community transmission and likely further significant increases in transmission. Widespread testing for COVID-19 is not yet available but is expected to increase in the coming days. This Directive is necessary to slow the rate of spread and the Health Officer will re-evaluate the continuing need for this Directive as further data becomes available. The Health Officer will also be evaluating the information regarding compliance with this Directive to determine if it becomes necessary to issue a formal Order.
10. This Directive comes after the release of substantial guidance from the 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 Directive or issue additional Orders, related to COVID- 19.

11. Definitions and Exemptions.

- a. For purposes of this Directive, 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 outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example and without limitation, walking, hiking, or running.
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Directive, including Minimum Basic Operations.
 - v. To care for a family member or pet in another household.
- b. For purposes of this Directive, 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, related research facilities, 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.

- c. For purposes of this Directive, 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 refining, 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 in this Section, to the extent possible.

- d. For purposes of this Directive, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others who need to perform essential services are categorically exempt from this Directive. Further, nothing in this Directive shall prohibit any individual from performing or accessing "Essential Governmental Functions," as determined by the governmental entity performing those functions. "Governmental Entity" as used herein includes Counties, Cities, Special Districts, Joint Powers Authorities, Public Authorities, and any other governmental or regulatory entity or body, department, commission, or agency operating within the jurisdiction of and subject to the authority of the Public Health Officer. Each governmental entity shall identify and designate appropriate employees or contractors to continue providing and carrying out any Essential Governmental Functions. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined in this Section, to the extent possible.

- e. For the purposes of this Directive, businesses covered by this Directive 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.

- f. For the purposes of this Directive, "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 food, dry goods, 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. Food cultivation, including farming, nurseries, livestock, fishing, and businesses necessary to support those industries;
- iv. Food and agriculture processing and distribution facilities including those facilities on farms and those used to conduct related research.
- v. Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- vi. Newspapers, television, radio, and other media services;
- vii. Gas stations and auto-supply, auto-repair, and related facilities;
- viii. Banks and related financial institutions;
- ix. Hardware stores;
- x. 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;
- xi. Businesses providing mailing and shipping services, including post office boxes;
- xii. 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;
- xiii. Laundromats, drycleaners, and laundry service providers;
- xiv. 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 Directive 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;
- xv. Businesses that supply products needed for people to work from home;
- xvi. Businesses that supply other essential businesses with the support or supplies necessary to operate;
- xvii. Businesses that ship or deliver groceries, food, goods or services directly to residences;
- xviii. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Directive;
- xix. Home-based care for seniors, adults, or children;
- xx. Residential facilities and shelters for seniors, adults, and children;

- xxi. Professional services, such as legal, financial, tax preparation, banking or accounting services, when necessary to assist in compliance with legally mandated activities;
 - xxii. Childcare facilities providing services that enable employees exempted in this Directive 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.
- g. For the purposes of this Directive, "Minimum Basic Operations" include the following, provided that employees comply with Social Distancing Requirements as defined in this Section, to the extent possible, while carrying out such operations:
- i. The minimum necessary activities to maintain the value of the business' 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.
- h. For the purposes of this Directive, "Essential Travel" includes travel 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, 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 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.

- i. For purposes of this Directive, residences include hotels, motels, shared rental units and similar facilities.
- j. For purposes of this Directive, "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.

12. This Directive shall become effective at 11:59 p.m. on March 19, 2020 and will continue to be in effect until 11:59 p.m. on April 9, 2020, or until extended, rescinded, superseded, or amended in writing by the Health Officer.

13. Copies of this Directive shall promptly be: (1) made available at the County Government Centers at 915 8th Street, Marysville, CA 95901 and 1160 Civic Center Blvd., Yuba City, CA 95993; (2) posted on the County Public Health Department website (beprepareyuba.org and bepreparedsutter.org); and (3) provided to any member of the public requesting a copy of this Directive.

14. If any provision of this Directive to the application thereof to any person or circumstance is held to be invalid, the remainder of the Directive, 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 Directive are severable.

IT IS SO DIRECTED:



Phuong Luu, MD, MHS, FACP

Bi-County Public Health Officer for the Counties of Yuba and Sutter

Dated: March 18, 2020