



ORDER OF THE BI-COUNTY PUBLIC HEALTH OFFICER FOR SUTTER AND YUBA COUNTIES



AMENDMENT 20-002 MODIFYING THE MAY 4, 2020 PUBLIC HEALTH ORDER TO CONDITIONALLY ALLOW MULTIPLE SECTORS TO REOPEN WITH APPROPRIATE MODIFICATIONS

Date of Amendment: June 11, 2020	By the authority of Dr. Phuong Luu Yuba-Sutter Health Officer
Effective: 12:01 a.m. on June 12, 2020	

Please read this Order carefully. This Order issued by the Bi-County Public Health Officer shall become effective at 12:01 a.m. June 12, 2020. Except as modified herein, all current Orders of the Bi-County Public Health Officer shall remain in full force or effect. Any and all prior violations of the previous orders remain prosecutable, criminally or civilly. Pursuant to Health and Safety Code section 120295 et seq., California Penal Code sections 69 and 148(a)(1), California Government Code section 8665, violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both.

Please be further advised that notwithstanding anything to the contrary contained herein, all persons in the State of California are required to comply with the Executive Orders of the Governor and the Orders of the State Public Health Officer.

PURSUANT TO SECTIONS 101040, 101085 AND 120175 OF THE HEALTH AND SAFETY CODE, THE BI-COUNTY PUBLIC HEALTH OFFICER FOR SUTTER AND YUBA COUNTIES HEREBY ORDERS AS FOLLOWS:

Purpose: To modify the existing Order of the Public Health Officer dated May 4, 2020 to allow the operation of multiple sectors as enumerated below in Scope of Amendment to reopen with appropriate modifications.

Background: On March 19, 2020, the Governor and the State Public Health Officer issued an order directing all individuals living in the State of California to stay at home except as needed to facilitate authorized, necessary activities or to maintain the continuity of operations of critical infrastructure sectors.

The Johns Hopkins Center for Health Security has provided a tabulation of categories of businesses based on low, medium, and high risk of contact intensity, number of contacts, and modification potential. (www.centerforhealthsecurity.org/our-work/pubs_archive/pubs-pdfs/2020/200417-reopening-guidance-governors.pdf).

On May 8, 2020, the State Public Health Officer issued an order to reintroduce activities and sectors in a phased manner and with necessary modifications, in order to protect public health and result in a lower risk for COVID-19 transmission and outbreak in a community.

On May 23, 2020, the Centers for Disease Control and Prevention issued interim guidance for Communities of Faith. (www.cdc.gov/coronavirus/2019-ncov/community/faith-based.html).

On May 25, 2020, the California Department of Public Health (CDPH) issued guidance for Places of Worship and Providers of Religious Services and Cultural Ceremonies.

On May 26, 2020, CDPH issued guidance for Hair Salons and Barbershops.

On May 29, 2020 Amendment 20-001 Modifying the May 4, 2020 Public Health Order was issued by the Bi-County Public Health Officer providing for the opening of (1) Places of Worship and Providers of Religious Services and Cultural Ceremonies and (2) Hair Salons and Barbershops.

On June 5, 2020, CDPH issued guidance for multiple sectors in Phase 3 to reopen with appropriate modifications. These include interim statewide guidance for K-12 schools, updated guidance for childcare, guidance for day camps, guidance for music, film, and television production, guidance for professional sports without live audiences, and guidance for casinos operated by sovereign tribal nations.

In addition, CDPH also issued guidance for counties with attestations (both Yuba County and Sutter County are within this group) to allow for the re-opening with appropriate modifications the following sectors: campgrounds, RV parks, and outdoor recreation; hotels for tourism; cardrooms, satellite wagering facilities and racetracks; family entertainment centers; restaurants, bars, wineries; fitness facilities; and museums, galleries, zoos, and aquariums.

All guidance for the above sectors are available at <https://covid19.ca.gov/industry-guidance/#top>.

What is Known: COVID-19 continues to be a threat and danger to the Yuba-Sutter region. As more and more sectors are allowed to reopen in the Yuba-Sutter region, it is imperative that each individual, each business, each sector of the community take it upon themselves the responsibility to adhere to the key tenets of non-pharmacologic interventions (NPIs) to continue to combat COVID-19. The NPIs include social distancing of six feet or more from non-household members, facial coverings when out in public and social distancing not possible, washing or sanitizing hands frequently, and staying home when ill with symptoms concerning for COVID-19.

Scope of Amendment: The Yuba-Sutter Bi-County Health Officer has carefully reviewed all the industry guidance issued by the California Department of Public Health (CDPH) on June 5, 2020, and will allow the reopening of the following sectors if appropriate modifications are implemented for COVID-19 infection prevention and control. These sectors include the reopening of day camps; campgrounds, RV parks, and

outdoor recreation; hotels for tourism; cardrooms, satellite wagering facilities and racetracks; family entertainment centers; restaurants, bars, wineries; and museums, galleries, zoos, and aquariums, pro sports without live audiences; and music, film, and television production. Daycare centers have already been allowed to be open in Yuba-Sutter but should still carefully review the updated CDPH's guidance to ensure that they are in full compliance. Regarding casinos operated by sovereign tribal nations, the Bi-County Health Officer respects tribal nations' sovereignty in regards to the decision to operate or not. Finally, the Bi-County Health Officer will continue to work closely with the Superintendents from both Yuba County and Sutter County Offices of Education regarding safe protocols to be implemented to ensure the health and safety of students, teachers, and staff prior to the start of the new upcoming academic school year.

Each of the above sectors must carefully review and implement the specific industry guidance set forth by the California Department of Public Health (CDPH) for their sector. In addition, given that all of the above sectors are **Higher Risk** businesses, they must also prepare and post the local COVID-19 Operations Protocol, attached hereto as Appendix A, for each of their facilities in the County frequented by the public or employees.

In addition to the industry guidance issued by CDPH, the following requirements are applicable to all businesses allowed to reopen by virtue of this Amendment”:

- Symptoms screening and temperature checks should be done prior to shift/start of work day. Self-symptoms and temperature check at home are not sufficient.
- A “household” are members who reside “under the same roof” and not determined by familial relations. Close interactions of less than 6 six feet between non-household members should be minimized as much as possible, and facial coverings used when social distancing not possible.
- Minimize sharing of items as much as possible between non-household members.

In addition, below are specific Yuba-Sutter requirements in addition to the ones enumerated in the industry specific guidance issued by CDPH.

Campgrounds:

The industry guidance for campgrounds applies to campgrounds, RV parks, and outdoor recreation areas and operators/providers, hereto referred to as “campgrounds”. The guidance can be found at:

<https://covid19.ca.gov/pdf/guidance-campgrounds.pdf>.

Each campground operator must contact visitors before their scheduled trip to the campground to confirm that the visitor and each member of their household who are coming remain without symptoms concerning for COVID-19 **and** that in the past 14-days, none of the visitors have had notification by a public health department that they have been exposed to a confirmed case and should undergo quarantine.

Individual campsites should only be for members of the same household, defined as individuals who reside “under the same roof.”

Day Camps:

The industry guidance for day camps can be found at: <https://covid19.ca.gov/pdf/guidance-daycamps.pdf>.

As much as possible, maintain the same grouping of campers and staff throughout the camping time.

Limit the use of shared objects.

Ideally campers should be groups by local geographic area.

Symptoms and temperature screenings of **both** staff and campers should be done daily.

Any camper who fails the daily screening should be isolated from the rest of the group in a safe location pending the transfer home.

Card Rooms/Race Tracks:

The industry guidance for card rooms/race tracks applies to card rooms, satellite wagering facilities, racetracks, and Third-Party Providers of Provision Players Services (TPPS), hereto referred to as “card rooms”. The guidance for cardrooms can be found at: <https://covid19.ca.gov/pdf/guidance-cardrooms-racetracks.pdf>.

Please note that in addition to carefully reviewing the available CDPH’s industry guidance for cardrooms, each card room business must also submit their workplace specific plans to the California Gambling Control Commission (comission@cgcc.ca.gov) and Bureau of Gambling Control (gamblingcontrol@doj.ca.gov).

Family Entertainment Centers:

The industry guidance initially issued for family entertainment centers on June 5, 2020 applies to bowling alleys, miniature golf, batting cages, and arcades. On June 8, 2020, movie theaters were added within this category. The industry guidance can be found at: <https://covid19.ca.gov/pdf/guidance-family-entertainment.pdf>.

Ice rinks, roller rinks, laser tags centers are **not** allowed at this time.

It is strongly recommended that each family entertainment center reduce their capacity by at least 50% to ensure adequate social distancing between non-household members can be accomplished.

Zoos/Indoor Museums:

The industry guidance for zoos and indoor museums applies to museums, galleries, botanical gardens, zoos, and aquariums. The industry guidance can be found at: <https://covid19.ca.gov/pdf/guidance-zoos-museums.pdf>.

It is imperative to limit congregating in the high traffic area of entrances, exits, and bathrooms.

Tours should be limited to individuals from the same household.

Gyms/Fitness Facilities:

The industry guidance for gyms/fitness facilities applies to both indoor and outdoor gyms/fitness facilities. The industry guidance can be found at: <https://covid19.ca.gov/pdf/guidance-fitness.pdf>.

Though gyms have been allowed since the May 4, 2020 local Yuba-Sutter Health Officer's Order, it is strongly recommended that all gym and fitness facilities owners and operators to carefully review the above CDPH's industry guidance.

In addition, if facial coverings cannot be safely worn during workouts, then social distancing of at least six feet or more should be strictly adhered to between non-household members.

Gyms and fitness facilities shall implement special hours for those age 65 years and older and/or those with chronic medical issues to ensure that they can exercise in a safe manner and minimize their risk of exposure and infection to COVID-19, since these individuals have been noted to be more vulnerable to COVID-19.

Hotels/Lodging:

The industry guidance for hotels/lodging applies to hotels, lodging, and short-term rentals, hereto referred to as "hotels". The hotels guidance is available at: <https://covid19.ca.gov/pdf/guidance-hotels-lodging-rentals.pdf>.

Given the concern of out-of-county travel, especially from individuals traveling from a higher risk region to the Yuba-Sutter region, it is imperative that each hotel implement a robust system to confirm with each guest prior to their arrival that they are without symptoms concerning for COVID-19, and have not been informed by any public health department in the past 14-days that they have been exposed to a COVID-19 case.

Bars:

The industry guidance of bars applies to bars, brewpubs, craft distilleries, breweries, bars, pubs, and wineries. The industry guidance can be found at: <https://covid19.ca.gov/pdf/guidance-restaurants-bars.pdf>.

The May 4, 2020 Facial Covering Order in Yuba-Sutter Counties remain in effect and therefore all staff and employees are required to wear facial coverings when at work.

Customers must also wear facial coverings when not drinking or eating and social distancing between non-household members is not possible.

Seating at the same table should be limited to members of the same household only.

It is strongly recommended that capacity be reduced as much as possible to allow for adequate social distancing and limit congregating at high traffic areas including the entrances, exits, and bathrooms.

Orders should be taken at the table instead of at the bar.

Outdoor seating is highly encouraged due to the better ventilation over indoor settings.

Failure to comply with the COVID-19 Operations Protocol may lead to closure of non-compliant businesses or organization and / or prosecution.

Compliance. The violation of any provision of this Amendment constitutes a threat to public health and a public nuisance per se. Pursuant to Health and Safety Code sections 101040 and 120175, Civil Code section 3494 and Code of Civil Procedure section 731, the Health Officer or any other authorized County of Sutter or Yuba official may enforce any violation of this Amendment and abate the public nuisance by obtaining injunctive relief from a court of competent jurisdiction. In addition, 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 Amendment.

Effective

time. This Amendment shall become effective and operative at 12:01 a.m. on June 12, 2020, and will continue until it is rescinded, superseded or amended in writing by the Health Officer.

Continuing assessment. The Health Officer will continue to assess the quickly evolving situation and may issue additional orders or amendments related to COVID-19 and will review and amend this Order as needed to address mitigating the impacts of COVID-19.

Copies of Amendment. Copies of this Amendment shall promptly be made available at www.yuba.org/coronavirus and www.suttercounty.org/doc/government/depts/cao/em/coronavirus and provided to any member of the public requesting a copy of this Order.

Severability. If any provision of this Amendment or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, 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 Amendment are severable.

IT IS SO ORDERED:



Phuong Luu, MD, MHS, FACP

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

Attachment

Appendix A: COVID-19 Operations Protocol