

HEALTH OFFICER ORDER NO. 2020-12
COUNTY OF SANTA BARBARA

FOR THE CONTROL OF COVID-19
PHASED REOPENING WITHIN SANTA BARBARA COUNTY

Health Officer Order No. 2020-12 Supersedes and Replaces Health Officer Order
No. 2020-8.2 and Health Officer Order No. 2020-8.3

Effective Date: June 12, 2020, 8:00 a.m. PDT

Please read this Order carefully. Violation of or failure to comply with this Order may constitute a misdemeanor punishable by fine of up to \$1,000, imprisonment, or both. (Health and Safety Code §§ 101029, 120295 et seq.) Violators are also subject to civil enforcement actions including fines or civil penalties per violation per day, injunctive relief, and attorneys' fees and costs.

This Health Officer Order No. 2020-12 supersedes and replaces Health Officer Order No. 2020-8.2 that was effective May 21, 2020 and Health Officer Order No. 2020-8.3 that was effective May 26, 2020. Nothing in this Health Officer Order No. 2020-12 supersedes State Executive Orders or State Health Officer Orders. COVID-19 industry specific guidance provided by the California Department of Public Health is available at: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Guidance.aspx#>

Summary: This Health Officer Order provides guidance on the reopening of some, but not all, Businesses (as defined) within the County of Santa Barbara. Businesses allowed to reopen must comply with requirements to protect against COVID-19 and social distancing. Businesses that are not allowed to reopen physical locations at this time are listed in the Attachment A.

WHEREAS, on March 4, 2020, Governor Newsom declared a state of emergency for conditions caused by a novel coronavirus, COVID-19, and on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic, and on March 12, 2020, the County of Santa Barbara declared a local emergency and a local health emergency in relation COVID-19 in the community; and

WHEREAS, in the County of Santa Barbara as well as throughout California and the nation, there are insufficient quantities of critical healthcare infrastructure, including hospital beds, ventilators and workers, capable of adequately treating mass numbers of patients at a single time – should the virus spread unchecked; and

WHEREAS, in direct response to the lack of healthcare infrastructure, governments across the nation are taking actions to slow the spread of COVID-19 in order to “flatten the curve” of infection and reduce the numbers of individuals infected at any one time by minimizing situations where the virus can spread; and

WHEREAS, in furtherance of this effort, on March 19, 2020, Governor Newsom issued Executive Order N-33-20 requiring all persons residing in the State to remain in their homes or places of residence, except as needed to maintain the continuity of operations

for critical infrastructure (the “State Stay-at-Home Order”); and

WHEREAS, also on March 19, 2020, the State Public Health Officer ordered all individuals living in the State of California to stay home or at their place of residence, except as needed to maintain continuity of operations for the federal critical infrastructure sectors, which was updated on March 28, 2020; and

WHEREAS, on March 20, 2020, the State Public Health Officer designated a list of Essential Critical Infrastructure Workers, to help state, local, tribal, and industry partners as they work to protect communities, while ensuring continuity of functions critical to protect public health and safety, which was updated on March 22, 2020; and

WHEREAS, on May 4, 2020, Governor Newsom issued Executive Order N-60-20 to allow reopening of lower-risk businesses and spaces ("Stage Two"), and then to allow reopening of higher-risk businesses and spaces ("Stage Three") and to allow a County to pursue a variance to move further into the stages upon notification and certification of a written attestation to the California Department of Public Health (CDPH); and

WHEREAS on May 7, 2020, the State Public Health Officer ordered that upon certification a County may move through the stages of reopening at their own pace as long as the sectors are given guidance from the State about reopening requirements; and

WHEREAS, on May 20, 2020, the CDPH approved and posted to the State’s website the County of Santa Barbara’s Variance Attestation allowing the County to move through the stages; and

WHEREAS, the CDPH issued guidance regarding various businesses and activities including for places of worship and providers of religious services and cultural ceremonies, hair salons and barbershops, schools and school-based programs; childcare; day camps; casinos operated by sovereign tribal nations; music, film and television production; professional sports without live audiences; campgrounds, RV Parks and outdoor recreation; hotels; cardrooms, satellite wagering facilities and racetracks; family entertainment centers; restaurants, bars and wineries; fitness facilities, museums, zoos, aquariums and galleries; and

WHEREAS, the County Health Officer finds: (1) the County has received repeated reports that some businesses have refused to comply with the State Stay-at-Home Order and State guidance; (2) the reported activities are inconsistent with the State Stay-at-Home Order and/or Stage Two or Stage Three of the California Resilience Roadmap; (3) guidance for businesses is required to prevent the potential increased spread of COVID-19 which would add strain to the County of Santa Barbara health care system; (4) without the guidance and restrictions described herein some businesses are likely to continue to impair efforts at mitigating the spread of the illness both within the County and statewide; and (5) distinctions made in this Order are to minimize the spread of COVID-19 that could occur through proximity and duration of contact between individuals; and

WHEREAS, the intent of this Order is to order businesses in the County of Santa Barbara regarding operations under the State Stay-at-Home Order and the Stage Two and Stage Three of the California Resilience Roadmap, and to slow the spread of COVID-19 to the

maximum extent possible. All provisions of this Order should be interpreted to effectuate this intent.

ACCORDINGLY, UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, TITLE 17 CALIFORNIA CODE OF REGULATIONS SECTION 2501, THE HEALTH OFFICER OF THE COUNTY OF SANTA BARBARA ORDERS:

1. This Order 2020-12 is effective 8:00 a.m. (PDT) June 12, 2020 and continuing until 5:00 p.m. (PDT), on July 12, 2020 or until it is extended, rescinded, superseded, or amended in writing by the County of Santa Barbara Health Officer ("Health Officer"). This Order applies in the incorporated and unincorporated areas of Santa Barbara County ("County").
2. "Business" or "Businesses" for the purpose of this Health Officer Order is defined to mean any institution, establishment, public or private agency, for-profit, non-profit, or educational entity, whether an organization, corporate entity, partnership, or sole proprietorship.
3. All Businesses except those listed in Attachment A, as attached hereto and incorporated by this reference, may remain open or open, upon completion of, and in accordance with all of the following:
 - a. Perform a detailed risk assessment including reviewing State and local guidance relevant to the Business and create a site-specific protection plan;
 - b. Train employees about how to limit the spread of COVID-19 including how to screen themselves for COVID-19 symptoms and when to stay home. COVID-19 symptoms are described in Attachment B;
 - c. Set up individual control measures and screenings;
 - d. Put disinfection protocols in place;
 - e. Implement and post the social distancing protocol in accordance with Section 3;
 - f. Complete the RISE attestation and self-certification process at: <https://recoverysbc.org/reopen-your-business/>. (if a Business does not have access to the internet it can call 833-688-5551); and
 - g. Post the self-certification at the Business location.
4. **Social Distancing Protocol.** All Businesses shall implement social distancing protocol, except when closer contact is required for fire, law enforcement, first responders, childcare, adult or senior care, care to individuals with special needs, and patient care. Social distancing is maintaining at least a six-foot distance from all individuals who are not part of the same household or living unit.

All Businesses must prepare and post a "Social Distancing Protocol", Attachment C, for each of their facilities in the County frequented by the public or employees. The Social Distancing Protocol must be posted at or near the entrance of the relevant facility and shall be easily viewable by the public and employees. A copy

of the Social Distancing Protocol must also be provided to each employee performing work at the facility. All Businesses shall implement the Social Distancing Protocol, and shall designate a specific on-duty employee to monitor and enforce compliance with the Social Distancing Protocol at all times the Business is open to the public. Businesses shall provide evidence of its implementation to any authority enforcing this Order upon demand.

Completion and posting of the Social Distancing Protocol, Attachment C, is required for compliance with this Order. The Social Distancing Protocol must explain how the Business is achieving the following:

- a. Limiting the number of persons who can enter into the facility and work areas at any one time to ensure that persons in the facility and work areas can easily maintain a minimum six-foot distance from one another at all times;
 - b. Where lines may form at a facility, marking increments of six feet, at a minimum, establishing where individuals must stand to maintain adequate social distancing;
 - c. Providing hand sanitizer, soap and water, or other effective disinfectant at or near the entrance of the facility and in other appropriate areas for use by the public and employees and in locations where there is high-frequency employee interaction with the public (e.g., cashiers);
 - d. Providing for contactless payment systems, or if not feasible to do so disinfect payment systems for the next customer by disinfecting all payment portals, keypads, pens, and styluses after each use;
 - e. Regularly cleaning and disinfecting other high-touch surfaces;
 - f. Posting a sign at the entrance of the facility and work area informing the public and employees that they should avoid entering the facility if they have a cough or fever; maintain a minimum six-foot distance from one another; sneeze and cough into their elbow; and not shake hands or engage in unnecessary physical contact; and
 - g. Any additional social distancing measures being implemented.
5. Bars, wineries, breweries, tasting rooms and other venues that serve alcoholic beverages but that do not have an on-site permitted food facility:
- a. Must obtain an Emergency Food Permit issued by the Santa Barbara County Health Department to temporarily serve food.
 - b. A Business in possession of an Emergency Food Permit issued by the Santa Barbara County Health Department may continue to temporarily serve food at their discretion, unless otherwise suspended, revoked, or terminated.
 - c. A Business in possession of an Emergency Food Permit issued by the Santa Barbara County Health Department may cease operations of food service at their discretion.
6. Businesses that must keep physical locations closed are listed in Attachment A, as attached hereto and incorporated by this reference. Businesses listed in Attachment A may continue to provide services so long as those services can be

provided remotely and without individuals physical present at the Business location. Maintenance to prevent property damage of the Businesses listed in Attachment A is allowed. This list may be amended from time to time, as required for our region's response to COVID-19.

This Order is issued as a result of the worldwide pandemic of COVID-19 which has infected at least 7,387,386 individuals worldwide, in 213 countries and territories, including 1,847 cases, and 15 deaths in the County, and is implicated in over 415,778 worldwide deaths.

This Order is issued based on evidence of increasing transmission of COVID-19 both within the County and worldwide, 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.

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

This Order is intended to reduce the likelihood of exposure to COVID-19, 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.

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 12, 2020 Declaration of Local Health Emergency and Proclamation of Emergency based on an imminent and proximate threat to public health from the introduction of novel COVID-19 in the County; the March 17, 2020 Resolution of the Board of Supervisors ratifying the County Declaration of Local Health Emergency and Proclamation of Emergency regarding 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 March 13, 2020 Presidential Declaration of a National Emergency due to the national impacts of COVID-19; 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 16, 2020 order of the State Public Health Officer prohibiting all gatherings with expected presence above ten (10) individuals; Governor Newsom's Executive Order N-33-20 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; the March 22, 2020, Presidential Declaration of a Major Disaster in California beginning on January 20, 2020 under Federal Emergency

Management Agency (FEMA) Incident DR-4482-CA; and, Governor Newsom's Executive Order N-60-20 of May 4, 2020 to allow reopening of lower-risk businesses and spaces ("Stage Two"), and then to allow reopening of higher-risk businesses and spaces ("Stage Three"), and directing the Public Health Officer to establish criteria and procedures to determine whether and how particular local jurisdictions may implement public health measures that depart from the statewide directives of the State Public Health Officer.

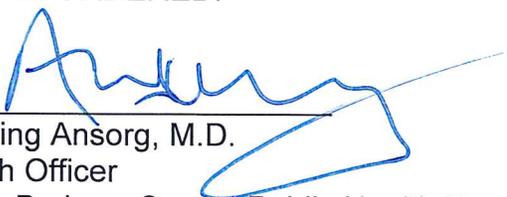
This Order is made in accordance with all applicable State and Federal laws, including but not limited to: Health and Safety Code sections 101040 and 120175; Health and Safety Code sections 101030 et seq., 120100 et seq.; and Title 17 of the California Code of Regulations section 2501.

If any provision of this Order 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 Order are severable.

The violation of any provision of this Order constitutes a threat to public health. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code sections 101029 and 120295, the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order.

Copies of this Order shall promptly be: (1) made available at the County Public Health Department; (2) posted on the County Public Health Department's website (publichealthsb.org); and (3) provided to any member of the public requesting a copy of this Order.

IT IS SO ORDERED:



Henning Ansorg, M.D.
Health Officer
Santa Barbara County Public Health Department

ATTACHMENT A

HEALTH OFFICER ORDER NO. 2020-12 COUNTY OF SANTA BARBARA

Businesses that Must Keep Physical Locations Closed

1. Amphitheatres, concert halls and venues, performing arts centers
2. Amusement and theme parks
3. Arenas
4. Banquet halls
5. Body art facilities including piercing, branding, and tattoos (except for the sale of retail items)
6. Celebrations (such as weddings, family reunions, birthday parties, bar/bat mitzvah, quinceañeras, bachelor/bachelorette parties, baby showers, etc.)
7. Climbing gyms
8. Community centers
9. Conference and convention centers
10. Dance halls, dances
11. Fairs, festivals, public exhibitions
12. In-person higher education including technical schools, colleges, universities, adult education, and trade schools (distance learning is permitted)
13. Ice skating rinks
14. Live performance venues, live theatre
15. Music events, concerts
16. Nail salons, manicurist, and pedicurist, except those required for medical necessity, such as treatment for diabetes, or persons taking prescribed blood thinners
17. Nightclubs
18. Indoor paintball, laser tag, or air soft facilities
19. Personal services such as day spas, body waxing and massage parlors, except those required for medical necessity
20. Playgrounds
21. Raceways
22. Rodeos, public equestrian events
23. Roller skating rinks, roller derby
24. Saunas and steam rooms
25. Organized sports (except professional sports without a live audience)
26. Sports stadiums and facilities (except as necessary for professional sporting events without live audiences)
27. Trampoline and bounce houses

ATTACHMENT B

**HEALTH OFFICER ORDER NO. 2020-12
COUNTY OF SANTA BARBARA**

COVID-19 SELF-EVALUATION

The County Health Officer has defined COVID-19 symptoms as follows:

**Mild to Moderate Symptoms Related to or
Other Respiratory Illness such as:**

Sore Throat

Runny Nose

Fever

Chills

Not Feeling Well

Sneezing

Coughing

Gastro-Intestinal symptoms such as:

Soft Stool

Stomach Cramps

New Loss of smell and/or taste

ATTACHMENT C: SOCIAL DISTANCING PROTOCOL

Businesses must complete Social Distancing Protocol or similar COVID- 19 protection plan described in CDPH industry guidance and checklists required by the state for all businesses prior to reopening.

Business name: _____ Facility Address: _____

Approximate gross square footage of space open to the public: _____

Businesses must implement all applicable measures listed below, and be prepared to explain why any measure that is not implemented is inapplicable to the business.

Signage:

- Signage at each public entrance of the facility to inform all employees and public that they should: avoid entering the facility if they have a cough or fever; maintain a minimum six-foot distance from one another; sneeze and cough into a cloth or tissue or, if not available, into one's elbow; and not shake hands or engage in any unnecessary physical contact.
- Signage posting a copy of the Social Distancing Protocol at each public entrance to the facility.

Measures To Protect Employee Health (check all that apply to the facility):

- Everyone who can carry out their work duties from home has been directed to do so.
- All employees have been told not to come to work if sick.
- All desks or individual work stations are separated by at least six feet.
- Break rooms, bathrooms, and other common areas are being disinfected frequently, on the following schedule:
 - Break rooms: _____
 - Bathrooms: _____
 - Other: _____
- Disinfectant and related supplies are available to all employees at the following location(s):
 - Hand sanitizer effective against COVID-19 is available to all employees at the following location(s): _____
 - Soap and water are available to all employees at the following location(s): _____
 - Copies of this Protocol have been distributed to all employees.
 - Optional—Describe other measures: _____

Measures To Prevent Crowds From Gathering (check all that apply to the facility):

- Limit the number of public in the store at any one time to _____, which allows for public and employees to easily maintain at least six-foot distance from one another at all practicable times.
- Post an employee at the door to ensure that the maximum number of persons in the facility set forth above is not exceeded.
- Placing per-person limits on goods that are selling out quickly to reduce crowds and lines. Explain: _____
- Optional—Describe other measures: _____

Measures To Keep People At Least Six Feet Apart (check all that apply to the facility)

- Placing signs outside the store reminding people to be at least six feet apart, including when in line.
- Placing tape or other markings at least six feet apart in customer line areas inside the store and on sidewalks at public entrances with signs directing customers to use the markings to maintain distance.
- Separate order areas from delivery areas to prevent persons from gathering.
- All employees have been instructed to maintain at least six feet distance from the public and from each other, except employees may momentarily come closer when necessary to accept payment, deliver goods or services, or as otherwise necessary.
- Optional—Describe other measures: _____

Measures To Prevent Unnecessary Contact (check all that apply to the facility):

- Preventing people from self-serving any items that are food-related.
 - Lids for cups and food-bar type items are provided by staff; not to customers to grab.
 - Bulk-item food bins are not available for self-service use.
- Not permitting customers to bring their own bags, mugs, or other reusable items from home.
- Providing for contactless payment systems or, if not feasible, sanitizing payment systems regularly. Describe: _____
- Optional—Describe other measures (e.g. providing senior-only hours): _____

Measures To Increase Sanitization (check all that apply to the facility):

- Disinfecting wipes that are effective against COVID-19 are available near shopping carts and shopping baskets.
- Employee(s) assigned to disinfect carts and baskets regularly.
- Hand sanitizer, soap and water, or effective disinfectant is available to the public at or near the entrance of the facility, at checkout counters, and anywhere else inside the store or immediately outside where people have direct interactions.
- Disinfecting all payment portals, keypads, pens, and styluses after each use.
- Disinfecting all high-contact surfaces frequently.
- Optional—Describe other measures: _____

* Any additional measures not included here should be listed on separate pages, which the business should attach to this document.

You may contact the following person with any questions or comments about this protocol:

Name: _____ **Phone number:** _____