

HEALTH OFFICER ORDER NO. 2020-13
COUNTY OF SANTA BARBARA

TEMPORARY CLOSURE AND RESTRICTIONS OF BEACHES IN SANTA BARBARA
COUNTY DURING THE JULY 4TH WEEKEND

Health Officer Order No. 2020-13

Effective Dates: July 3, 2020 through July 5, 2020

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.

Nothing in this Health Officer Order No. 2020-13 supersedes State Executive Orders or State Health Officer Orders.

SUMMARY: This Health Officer Order orders the temporary closure of all public beaches in Santa Barbara County. No members of the public shall be on the County's beaches between during the closure period, except to immediately access and leave the ocean for water sports or for active physical activity (which does not include sitting, lying, standing, sunbathing, sight-seeing, picnicking, and all other non-exercise, passive, or sedentary activities).

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, this Order is issued in response to Santa Barbara County not meeting the threshold criteria for Elevated Disease Transmission, Increasing Hospitalization, and

Limited Hospital Capacity for the past 16 days, as noted by the California Monitoring Metrics available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/COVID19CountyDataTable.aspx>; and

WHEREAS, the Health Officer finds that temporary closure of all beaches is necessary to prevent crowding that results in the spread of COVID-19 and due to the anticipated high volume of use at beaches from July 3rd through July 5th, which will impede the practice of safe and necessary social distancing to slow the spread of COVID-19 in Santa Barbara County; and

WHEREAS, the intent of this Order is 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 2020-13 is effective 12:01 a.m. (PDT) July 3, 2020 and continuing until 11:59 p.m. (PDT), on July 5, 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. **Public Beaches Closed.** All public beaches in Santa Barbara County shall be closed to the public.
 - a. The ocean will remain open for water sports (e.g., surfing, boogie-boarding, swimming, paddle-boarding, kayaking, boating, etc.) and individuals may be present on and cross beaches in order to immediately access and leave the ocean.
 - b. In addition, beaches may be used for running, walking, cycling, or other forms of active physical activity. Sitting, lying, standing, sunbathing, sight-seeing, picnicking, and all other non-exercise, passive, or sedentary activities at beaches are prohibited.
3. **Restrictions.** The following restrictions apply for the duration of this Health Officer Order:
 - a. Items for sitting or lying on the beach are prohibited for use or possession on beaches such as umbrellas, shade structures, tents, barbeques and grills, sand or beach toys, coolers, and beach chairs.
 - b. Only persons with reservations at County and State beach campgrounds will be allowed to enter and utilize those beach areas in accordance with this Order. Walk-up or day use of these beaches and areas are not allowed.
 - c. Beach parkways (defined as streets, sidewalks, esplanades, or parks immediately adjacent to or abutting beaches or shoreline areas) should remain open, subject to the discretion of individual facility managers to address over-use, but they may only be used for running, walking, cycling, or other forms of physical activity.
 - d. Sitting, lying, standing, sunbathing, sight- seeing, picnicking, and all other

non-exercise, passive, or sedentary activities on beach parkways are prohibited.

- e. Piers may remain open, subject to the discretion of individual facility managers to address over-use, and all individuals shall use face coverings and maintain physical distance.

This Order is issued as a result of the worldwide pandemic of COVID-19 which has infected at least 10,921,893 individuals worldwide, in 213 countries and territories, including 3,164 cases, and 29 deaths in the County, and is implicated in over 521,420 worldwide deaths.

This Order is issued based on evidence of continued community-based 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.

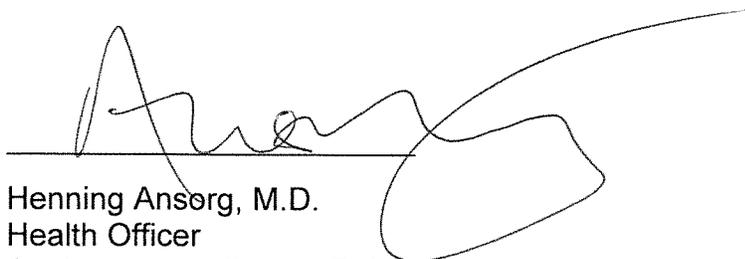
This Order is made in accordance with all applicable State and Federal laws, including but not limited to: Health and Safety Code sections 101040 and 120175; Health and Safety Code sections 101030 et seq., 120100 et seq.; and Title 17 of the California Code of Regulations section 2501.

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. Per Health and Safety Code section 101029, "the sheriff of each county, or city and county, may enforce within the county, or the city and county, all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease. Every peace officer of every political subdivision of the county, or city and county, may enforce within the area subject to his or her jurisdiction all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease. This section is not a limitation on the authority of peace officers or public officers to enforce orders of the local health officer."

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 Ansørg, M.D.
Health Officer
Santa Barbara County Public Health Department