

SECOND AMENDED

ORDER OF STANISLAUS COUNTY PUBLIC HEALTH OFFICER

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101470, 101475, 101085, 120175, 120200, 120210 AND 120215 THE HEALTH OFFICER OF THE COUNTY OF STANISLAUS ("HEALTH OFFICER") ORDERS:

ALL INDIVIDUALS LIVING IN THE COUNTY TO STAY AT HOME OR AT THEIR PLACE OF RESIDENCE EXCEPT THAT THEY MAY LEAVE TO PROVIDE OR RECEIVE CERTAIN ESSENTIAL SERVICES OR ENGAGE IN CERTAIN ESSENTIAL ACTIVITIES AND WORK FOR ESSENTIAL BUSINESSES AND GOVERNMENTAL SERVICES; 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 ORDERING CESSATION OF ALL NON-ESSENTIAL TRAVEL

EFFECTIVE DATE: BEGINS 5:00 A.M. ON MAY 8, 2020 AND CONTINUES UNTIL RESCINDED.

Please read this Order and included attachments carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code sections 120295, et seq.)

ATTACHMENTS

Exhibit A: Conditions for Operations of Businesses within a Critical Infrastructure Sector

Appendix A: Social Distancing Protocol Forms (Business and Outdoor Sports Facilities)

REASONS AND PURPOSE OF THE ORDER

1. This Second Amended Order supersedes the April 24, 2020 Amended Order of the Health Officer directing all individuals to shelter in place ("Prior Shelter Order"). This Order clarifies, strengthens, and extends certain terms of the Prior Shelter Order to increase social distancing and reduce person-to-person contact in order to further slow transmission of COVID-19. As of the effective date and time of this Order, all individuals and businesses in Stanislaus County ("County") are required to follow the provisions of this Order.
2. The intent of this Order is to implement Executive Order N-33-20, issued by Governor Newsom on March 19, 2020, and to ensure that the maximum number of people self-isolate in their homes or places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the maximum extent possible. When people need to leave their homes or places of residence, whether to obtain or perform vital services, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times as reasonably possible comply with Social Distancing Requirements as defined in Section 11 of this Order. All provisions of this Order should be interpreted to

effectuate this intent. Failure to comply with any of the provisions of this Order constitutes an imminent threat to public health.

3. This Order is issued based on evidence of stable and ongoing occurrence of COVID-19 within the County and throughout California.
4. 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. In addition, some individuals who contract the COVID-19 virus have no symptoms or have mild symptoms and they may not be aware they carry the virus. Because even people without symptoms can spread COVID-19, and because evidence shows the disease is easily spread, public activities 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. County residents must continue to minimize public activities and interactions. By reducing the spread of the COVID-19 virus, this Order helps preserve critical and limited healthcare capacity in the County and prevent more deaths.
5. This Order is issued in light of the existence, as of May 4, 2020, of 411 cases of COVID-19 in the County, and likely further significant increases in transmission. This Order is necessary to slow the rate of spread and the County will re-evaluate it as further data becomes available.
6. This Order is issued in accordance with, and incorporates by reference, the March 4, 2020, Proclamation of a State of Emergency issued by Governor Gavin Newsom, the Declarations of Local Health Emergency issued by the Health Officer on March 11, 2020, The Proclamation of a Local Emergency on March 11, 2020, and the March 17, 2020, Resolution of the Board of Supervisors of the County of Stanislaus, Ratifying the Declarations of Local Health Emergency and Local Emergency Proclamation, Governor Newsom's March 12, 2020, Executive Order N-25-20, Governor Newsom's March 19, 2020, Executive Order N-33-20, and the designation by the State Public Health Officer of Essential Critical Infrastructure Workers issued March 22, 2020, and any amendments or changes made to thereto.
7. This Order 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 Order, or issue additional Orders, related to COVID-19. This Order applies to all businesses in the County, including for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.

DETAILS OF THE ORDER

8. **General Order to Stay at Home:**
 - a. All individuals currently living within the County of Stanislaus are ordered to stay at home

or 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 as defined in Section 11; to work as an Essential Critical Infrastructure Worker as defined by the State Public Health Officer; to perform Minimum Basic Operations; or any other activity specifically allowed herein. Individuals experiencing homelessness are exempt from this Paragraph but are strongly urged to obtain shelter. Persons experiencing homelessness that are unable to locate shelter, must maintain social distancing at all times and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to utilize Social Distancing Requirements in their operation).

- b. When persons need to leave their place of residence for the limited purposes allowed in this Order, they must strictly comply with Social Distancing Requirements.
- c. The term “residences”, as used herein, includes places persons normally live, such as hotels, motels, shared rental units and homes.
- d. People at high risk of severe illness from COVID-19 and people who are sick are urged to stay at home or place of residence to the extent possible except as necessary to seek medical care.
- e. Personal "Essential Activities" are limited to the following:
 - 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 the individual needs 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 supplies, 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 as provided herein.
 - iv. To perform work as an Essential Critical Infrastructure Worker or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
 - v. To care for a family member or pet in another household.

9. **Allowed Activities:** All Businesses included in the Critical Infrastructure Sectors list provided by the Department of Homeland Security located at: <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19> and the list provided by the Governor which can be found at

<https://covid19.ca.gov/stay-home-except-for-essential-needs/#top> may remain open subject to the conditions and modifications set forth herein and any business operating guidelines, guidance or protocol issued or required by the Governor or the California Department of Public Health. This Order modifies both the CISA list and the Governor's list of Critical Infrastructure Sectors and the conditions upon which activities may be conducted. Those modifications are set forth herein and in the Exhibit A, which is attached and incorporated by reference into this Order.

- a. Homebased Business Operators. All businesses may continue operations that consist exclusively of owners, employees, volunteers, or contractors performing activities at their own residences (i.e., working from home).
- b. Maintain Social Distancing. All businesses shall comply with Social Distancing Requirements as defined in Section 11 below. All businesses are strongly encouraged to maximize the number of employees who work from home.
- c. Social Distancing Protocol. All businesses shall prepare, post, and comply with a Social Distancing Protocol for each of their facilities in the County. The Social Distancing Protocol must follow the format of the form in Appendix A of this Order and must be posted prior to conducting operations. The 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 Protocol must also be provided to each employee, volunteer, and contractor performing work at the facility. All businesses shall implement their Protocol and provide evidence of the implementation upon request to any authority enforcing this Order. If the measures identified and implemented are not effective in maintain proper social distancing and sanitation, the business shall promptly modify its Social Distancing Protocol. The Protocol must explain how the business is achieving the following, as applicable:
 - i. Limiting the number of people who can enter the facility at any one time to ensure that people in the facility can easily maintain a minimum 6-foot distance from one another at all times, except as required to complete the business activity;
 - ii. Where lines may form at a facility, marking 6-foot increments at a minimum, establishing where individuals should stand to maintain adequate social distancing;
 - iii. Providing soap and water, hand sanitizer, or effective disinfectant at or near the entrance of the facility and in other appropriate areas for use by customers and employees, and in locations where there is high-frequency employee interaction with members of the public such as at check-out;
 - iv. Providing for payment systems that do not require contact or, if this is not feasible, providing for disinfection of all payment portals, pens, and styluses after each use;
 - v. Regularly disinfecting other high-touch surfaces;
 - vi. Posting a sign at the entrance of the facility informing all employees and

- customers that they should not enter if they have a cough or fever, should stay at least six feet away from others, should cough or sneeze into their sleeve, should not shake hands, and should not engage in any unnecessary physical contact; and
- vii. Any additional social distancing measures being implemented.
- d. Outdoor recreation activities.
- i. Pursuant to the California Department of Public Health, it is okay to go outside to go for a walk, to exercise, and participate in healthy activities as long as you maintain a safe physical distance of at least six feet and gather only with members of your household. For a non-exhaustive list of activities, see <https://covid19.ca.gov/stay-home-except-for-essential-needs>.
 - ii. Dog parks may remain open if seating areas are closed, hand sanitizer is provided at the entrance/exit (or users bring their own hand sanitizer), and users bring their own water and waste bags.
 - iii. Golf courses and outdoor shooting and archery ranges may operate pursuant to the Social Distancing Requirements stated in subparagraph (c) above and in the Outdoor Sports Facility Social Distancing Plan located in Appendix A.
 - iv. Disc golf courses may remain open if no contact is made with baskets. Tennis, pickleball, basketball, and volleyball courts may remain open for use by members of the same household only.
 - v. Sports or activities that involve the use of shared equipment, such as balls, may only be engaged in by members of the same household.
 - vi. Playground equipment may be used by members of the same household. Parents must ensure their children maintain Social Distancing from non-household members.
 - vii. Lakes and reservoirs: picnicking and camping is disallowed. Lakes and reservoirs may be used by watercraft for recreational use, such as fishing and water-skiing. Congregating on the shore is prohibited.
 - viii. Wearing a Face Covering is recommended but not required while engaged in outdoor recreation such as walking, hiking, bicycling, or running. But each person engaged in such activity must comply with Social Distancing Requirements including maintaining at least six feet of separation from all other people to the greatest extent possible. Additionally, it is recommended that each person engaged in such activity bring a Face Covering and wear that Face Covering in circumstances where it is difficult to maintain compliance with Social Distancing Requirements, and that they carry the Face Covering in a readily accessible location, such as around the person's neck or in a pocket, for such use. Because running or bicycling causes people to more forcefully expel airborne particles, making the usual minimum six feet distance less adequate, runners and cyclists must take steps to avoid exposing others to those particles, which include the following measures: wearing a Face Covering when possible; crossing the street when running to avoid sidewalks with pedestrians; slowing down and moving to

the side when unable to leave the sidewalk and nearing other people; never spitting; and avoiding running or cycling directly in front of or behind another runner or cyclist who is not in the same household.

10. Prohibited Activities and Partial List of Non-Essential Businesses:

- a. Non-Essential Business Activities: Except for Minimum Basic Operations, the following business activities are deemed non-essential and are to be closed to the public and shall cease all in person interactions with the public. This list is nonexclusive and the fact that a business type is not listed below is not intended to imply that it is authorized to stay open as a business within a Critical Infrastructure Sector.
 - i. Bars, nightclubs, wine tasting rooms, and brewpubs.
 - ii. Movie theaters, live performance venues, bowling alleys and arcades.
 - iii. Gyms, fitness centers and aquatic centers.
 - iv. Swimming pools, spas, hot tubs, saunas, steam rooms and similar facilities, excepting those located at a single-family residence.
 - v. Public and private campgrounds and recreational vehicle parks, except those that certify that their RV is the primary residence and that they were a resident of Stanislaus County prior to March 4, 2020.
 - vi. Hair and nails salons and barbershops.
 - vii. Door to door solicitations
- b. Congregating: All public and private gatherings of any number of people occurring outside a household or living unit are prohibited, except for the limited purposes and under the conditions expressly permitted in this Order. Nothing in this Order prohibits the gathering of members of a household or living unit.
- c. Travel: All travel is prohibited except Essential Travel and for Essential Activities as defined in Section 11. People must use public transit only for purposes of performing Essential Activities. People riding on public transit must comply with Social Distancing Requirements as defined in Section 11, to the greatest extent feasible. This Order allows travel into or out of the County only to perform Essential Activities.

11. Definitions and Exemptions:

- a. Essential Critical Infrastructure Workers: For purposes of this Order, Essential Critical Infrastructure Workers are those individuals providing the services listed in Executive Order N-33-20, issued by Governor Newsom on March 19, 2020, which includes the critical infrastructure list provided by the Department of Homeland Security located at: <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19> and the list provided by the Governor at which can be found at <https://covid19.ca.gov/stay-home-except-for-essential-needs/#top>. Both of these lists describing essential services and the conditions upon which those activities may be conducted, are modified as stated in

the Exhibit A, attached and incorporated by reference into this Order.

- b. **Minimum Basic Operations:** For the purposes of this Order, “Minimum Basic Operations” means the following activities for businesses, provided that owners, employees, and contractors comply with Social Distancing Requirements, to the extent possible, while carrying out such operations:
 - i. The minimum necessary activities to maintain and protect the value of the business’s inventory and facilities; ensure security, safety, and sanitation; process payroll and employee benefits; provide for the delivery of existing inventory directly to residences or businesses (and not by way of example, engage in sales to the public from retail storefronts or by curbside pickup); and related functions.
 - ii. The minimum necessary activities to facilitate owners, employees, and contractors of the business being able to continue to work remotely from their residences, and to ensure that the business can deliver its service remotely.
- c. **Essential Travel:** For the purposes of this Order, "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 or Essential Governmental Functions.
 - 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 educational related services.
 - iv. Travel to or 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.
- d. **Social Distancing Requirements:** For purposes of this Order, "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. Face coverings are strongly recommended when out in public.

12. Enforcement of the Order: 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 Order. The violation of any provision of this Order constitutes an imminent threat to public health. Consistent with the

views expressed by the Governor and after consulting with the Stanislaus County Sheriff, the Public Health Officer believes that enforcement through education is preferable, but that other means of enforcement may be employed, as deemed appropriate by the law enforcement agency.

13. This Order shall become effective at **5:00 a.m. on May 8, 2020**, and will continue to be in effect until it is rescinded in writing by the Health Officer.
14. Copies of this Order shall promptly be: (1) made available at the County Administration Building at 1010 10th St, Modesto, CA 95354; (2) posted on the Stanislaus County Home page (StanCounty.com); and (3) provided to any member of the public requesting a copy of this Order.
15. If any provision of this Order to the application thereof to any person or circumstance is held to be invalid, 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.