



A Tradition of Stewardship  
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Health & Human Services Agency  
Public Health Division

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## **ORDER OF THE NAPA COUNTY HEALTH OFFICER DIRECTING THE CLOSURE OF SPECIFIED SECTORS AS REQUIRED AND ORDERED BY THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH**

**DATE OF ORDER: July 8, 2020**  
**ORDER No. 20-07**

**Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (Health and Safety Code § 120295, *et seq.*; Penal Code §§ 69, 148(a)(1); Napa County Code § 2.80.065)**

AS DIRECTED BY THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH AND UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE §§ 101030, 101040, 101085, AND 120175; TITLE 17 CALIFORNIA CODE OF REGULATIONS § 2501; ARTICLE XI OF THE CALIFORNIA CONSTITUTION; CALIFORNIA GOVERNMENT CODE §§ 8610, 8630, 8634, AND 8665; AND NAPA COUNTY CODE § 2.80.065, THE NAPA COUNTY HEALTH OFFICER ORDERS:

1. On July 1, 2020, the California Department of Public Health (“CDPH”) issued an Order to those Counties on the County Monitoring List<sup>1</sup> entitled, “Guidance on Closure of Sectors in Response to COVID-19” (the “CDPH Order”).<sup>2</sup>
2. The CDPH Order directs that counties on the County Monitoring List for three or more consecutive days close indoor operations (outdoor operations are allowed with appropriate modifications). For those sectors that are not able to do outdoor operations, the CDPH Order directs that those business to close effective immediately for at least three (3) weeks, in order to further mitigate the spread of the COVID-19 virus.
3. CDPH placed Napa County on the County Monitoring List on July 5, 2020, and Napa County has been on the monitoring list for three consecutive days.
4. The current data reflect that community spread of infection in Napa County is of increasing concern. In addition to the impact on the general population, community spread increases the likelihood of expanded transmission of COVID-19 in congregate settings such as nursing homes, homeless shelters, jails and prisons. Infection of these vulnerable populations in these settings can be catastrophic. Higher levels of community

<sup>1</sup> <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/COVID19CountyMonitoringOverview.aspx>

<sup>2</sup> <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Guidance-on-Closure-of-Sectors-in-Response-to-COVID-19.aspx>

spread also increase the likelihood of infection among individuals at high risk of serious outcomes from COVID-19, including the elderly and those with underlying health conditions. For Napa County, the risk is high enough that actions must be taken to protect the public.

5. California's Pandemic Resilience Roadmap classifies bars, pubs, breweries, brewpubs, dine-in restaurants, wineries and tasting rooms, family entertainment centers, zoos, museums, and cardrooms as Stage 2 or Stage 3 sectors with high risk of transmission due to a number of features of the businesses and the behaviors that occur within them. Public health studies have shown that the risk of transmission is exacerbated in indoor spaces, particularly when lacking appropriate ventilation. The sectors specified above, operating indoors, operate at the highest risk of all sectors allowed to reopen to date. These sectors are settings where groups convene and may mix with others for a prolonged period of time, increasing the risk of escalating the transmission rate of COVID-19. While physical distancing is critical to mitigating exposure, it is intended to protect an individual with brief exposures or outdoor exposures. In contrast to indoor spaces, wind and the viral dilution in outdoor spaces can help reduce viral load.
6. Bars, both indoor and outdoor, have additional risk factors. A bar, foundationally, is a social setting where typically not only small groups convene, but also where groups mix with other groups. Bars also have an added risk imposed by the consumption of alcohol as the primary activity offered in such venues. Alcohol consumption slows brain activity, reduces inhibition, and impairs judgment, factors which contribute to reduced compliance with recommended core personal protective measures, such as the mandatory use of face coverings and maintaining six feet of distance from people in different households, both indoors and outdoors. Louder environments and the cacophony of conversation that are typical in bar settings also require raised voices and greater projection of orally emitted viral droplets.
7. In summary, while these businesses represent a valued part of the fabric of our community, the characteristics of these types of establishments contribute to an environment with substantially increased risks for COVID-19 transmission.
8. All bars, pubs, brewpubs, and breweries, whether operating indoors or outdoors, shall close.
9. All indoor operations are restricted as specified below:
  - a. Dine-in restaurants shall close indoor seating to customers. During this closure all dine-in restaurants may continue to utilize outdoor seating and must comply with the guidance for dine-in restaurants (<https://files.covid19.ca.gov/pdf/guidance-dine-in-restaurants.pdf>). Restaurants should continue to encourage takeout and delivery service whenever possible.
  - b. Wineries and tasting rooms shall close indoor services to customers. During this closure, all wineries and tasting rooms must comply with the guidance for restaurants, wineries, and bars (<https://files.covid19.ca.gov/pdf/guidance-restaurants-bars.pdf>).

- c. Family entertainment centers and movie theaters shall close indoor services and attractions to customers.
    - i. Family entertainment centers may continue to provide outdoor services to customers, and must comply with the movie theaters and family entertainment centers (<https://files.covid19.ca.gov/pdf/guidance-family-entertainment.pdf>).
    - ii. Drive-in movie theaters may continue to operate and should follow additional applicable guidance for retailers of Drive-In Movie Theaters (<https://files.covid19.ca.gov/pdf/guidance-retail.pdf>).
  - d. Indoor attractions at zoos and museums shall close to visitors. Zoos and museums may continue to operate outdoor attractions and must follow the guidance for zoos, museums (<http://covid19.ca.gov/pdf/guidance-zoos-museums.pdf>).
  - e. Cardrooms shall close indoor services to customers and must follow the guidance for cardrooms (<https://covid19.ca.gov/pdf/guidance-cardrooms-racetracks.pdf>).
10. This Order is issued as a result of the worldwide pandemic of COVID-19 disease, also known as “novel coronavirus,” which has infected more than 10,000,000 individuals worldwide in 188 countries and is implicated in more 500,000 worldwide deaths, including 448 cases and four deaths in Napa County as of July 7, 2020.
11. This Order is issued based on evidence of increasing transmission of COVID-19 both within Napa 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.
12. This Order is intended to address the strain upon the health care system from the effects of the COVID-19 virus. Similarly, this Order is intended to reduce the likelihood of exposure to COVID-19, thereby slowing the spread of COVID-19 in communities worldwide.
13. 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 March 12, 2020 Proclamation by the Health Officer of Local Health Emergency, which the Napa County Board of Supervisors ratified on March 17, 2020 and continued on April 7, 2020; the March 13, 2020 Proclamation by the Chief Executive Officer/Director of Emergency Services of a Local Emergency, which the Board of Supervisors also ratified on March 17, 2020 and continued on April 7, 2020. This Order is also issued in light of the March 19, 2020, May 7, 2020, June 5, 2020, and June 18, 2020 Orders of the State Public Health Officer, which set baseline statewide restrictions and created a

process for local jurisdictions to move through Stage 2, as well as the Governor's May 4, 2020 Executive Order N-60-20.

14. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code sections 101029 and 120175.5(b), the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order. The chiefs of police and city attorneys are empowered to ensure compliance with and enforce this Order within their jurisdictions. The violation of any provision of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.
15. This Order shall become effective at 12:01 a.m. on Thursday, July 9, 2020 and will continue to be in effect for at least three weeks, which is through July 30, 2020, and expire only if the County is no longer on the County Monitoring List on July 30, 2020. If the County is no longer on the County Monitoring List on July 30, 2020, then the sectors identified above may reopen on July 31, 2020, so long as they adhere to the relevant State industry guidance.
16. Copies of this Order shall promptly be: (1) made available at the County Administration Building, 1195 Third Street, Napa, CA 94559; (2) posted on the County Public Health Department website (<https://www.countyofnapa.org/PublicHealth/>); and (3) provided to any member of the public requesting a copy of this Order.
17. 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.

IT IS SO ORDERED:



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Karen Relucio, MD  
Napa County Health Officer

Date: July 8, 2020