



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 MODIFYING THE SHELTER AT HOME ORDER ISSUED ON JUNE 5, 2020

DATE OF ORDER: June 18, 2020
ORDER No. 20-06

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)

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE NAPA COUNTY HEALTH OFFICER (“HEALTH OFFICER”) ORDERS:

1. This Order supersedes the Health Officer Order issued on June 5, 2020 directing all individuals to shelter at home (“Prior Shelter Order”). This Order modifies paragraph 15 of the Prior Shelter Order in accordance with additional requirements from the State of California regarding face coverings. The Prior Shelter Order has been effective in mitigating hospitalizations and ICU admissions, ensuring adequate hospital capacity, and managing the case doubling time. This Order balances the risk of increased transmission with the need to protect individuals at high risk of disease, as well as the social, emotional, and economic impact of certain restrictions. This Order is effective immediately upon its issuance.
2. The intent of this Order is to ensure that people continue to shelter in their places of residence to slow the spread of COVID-19 to the maximum extent possible and mitigate the impact on delivery of critical healthcare services. All provisions of this Order must be interpreted to effectuate this intent. This Order also adopts the State of California’s Stay-at-Home Order’s designations for allowable Essential Business, Essential Infrastructure, and outdoor recreation, and allows identified essential business and outdoor activities to resume while the Health Officer continues to assess the transmissibility and clinical severity of COVID-19. This Order continues to require the wearing of a cloth face covering, as set forth in Section 14 below. Failure to comply with any of the provisions of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.

3. This Order is issued based on evidence of continued community transmission of COVID-19 within the County and throughout the Bay Area; continued uncertainty regarding the degree of undetected asymptomatic transmission; scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically; evidence that the age, condition, and health of a significant portion of the population of the County places it at risk for serious health complications, including death, from COVID-19; and further evidence that others, including younger and otherwise healthy people, are also at risk for serious outcomes. 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. Making the problem worse, some individuals who contract the virus causing the COVID-19 disease have no symptoms or have mild symptoms, which means they may not be aware they carry the virus and are transmitting it to others.
4. The collective efforts taken to date regarding this public health emergency have slowed the virus's trajectory, but the emergency and the attendant risk to public health remain significant. This Order is issued in light of the existence of 202 cases of COVID-19 and four deaths in the County as of June 17, 2020. The cumulative number of confirmed cases continues to increase, though the rate of increase continues to decrease in the days leading up to this Order. Evidence suggests that the restrictions on mobility and social distancing and cloth face covering requirements imposed by the Prior Shelter Order have been effective in slowing the rate of increase in community transmission and confirmed cases.
5. The local health officer, in conjunction with Bay Area Health Officers, is monitoring several key indicators ("COVID-19 Indicators"), which are among the many factors informing decisions whether to modify existing shelter-in-place restrictions. The COVID-19 Indicators include, but are not limited to, the following:
 - a. The trend of the number of new COVID-19 cases and hospitalizations per day.
 - b. The capacity of hospitals and the health system in the County and region, including acute care beds and Intensive Care Unit beds, to provide care for COVID-19 patients and other patients, including during a surge in COVID-19 cases.
 - c. The supply of personal protective equipment (PPE) available for hospital staff and other healthcare providers and personnel who need PPE to safely respond to and treat COVID-19 patients.
 - d. The ability and capacity to quickly and accurately test persons to determine whether they are COVID-19 positive, especially those in vulnerable populations or high-risk settings or occupations.
 - e. The ability to conduct case investigation and contact tracing for the volume of cases and associated contacts that will continue to occur, isolating confirmed cases and quarantining persons who have had contact with confirmed cases.

Progress on some of these COVID-19 Indicators—specifically related to case and hospitalization trends and adequate current hospital capacity—makes it appropriate, at this time, to ease certain restrictions imposed by the Prior Shelter Order to allow individuals to engage in a limited set of additional activities and perform work for a limited set of additional businesses associated with the low and medium-low risk of COVID-19

transmission. The Health Officer will continually review whether modifications to the Order are justified based on (1) progress on the COVID-19 Indicators; (2) developments in epidemiological and diagnostic methods for tracing, diagnosing, treating, or testing for COVID-19; and (3) scientific understanding of the transmission dynamics and clinical impact of COVID-19.

6. The scientific evidence shows that at this stage of the emergency, it remains essential to continue to slow virus transmission to help: (a) protect the most vulnerable; (b) prevent the health care system from being overwhelmed; (c) prevent long-term chronic health conditions, such as cardiovascular, kidney, and respiratory damage and loss of limbs from blood clotting; and (d) prevent deaths. At the same time, since the Prior Shelter Order was issued the County has made significant progress in expanding health system capacity and healthcare resources and in slowing community transmission of COVID-19. In light of progress on these indicators, and subject to continued monitoring and potential public health-based responses, it is appropriate at this time to allow additional Essential Businesses and outdoor recreation activities to operate in the County, as allowed by the Governor's May 4, 2020 Executive Order N-60-20, the May 7, 2020 Order of the State Public Health Officer, and subsequent State guidance.
7. 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.
8. This Order is also issued in light of the March 19, 2020, May 7, 2020, and June 5, 2020 Orders of the State Public Health Officer (the "State Shelter Order"), 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. This Order also adopts and incorporates by reference subsequent amendments, designations, directives, or guidance issued by the State of California pertaining to its State Shelter Order and the process for reopening businesses and activities using a four-stage framework, which includes provisions for reopening of lower-risk businesses and spaces ("Stage Two"), to be followed by the reopening of higher-risk businesses and spaces ("Stage Three") to allow for the gradual resuming of various activities while continuing to preserve public health in the face of COVID-19. In addition, to the extent any federal guidelines allow activities that are not allowed by this Order, this Order controls and those activities are not allowed.
9. Individuals. All individuals currently living within the County are ordered to shelter at their place of residence, except as provided in this Order and as set forth by the State Public Health Officer and in the State Shelter Order Frequently Asked Questions (<https://covid19.ca.gov/stay-home-except-for-essential-needs/>). Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to, as soon as possible, make such shelter available and provide handwashing or hand sanitation facilities to persons who continue experiencing homelessness. When people need to leave their place of residence

for the purposes allowed in this Order, they must strictly comply with Social Distancing Requirements as defined in Section 14, except as expressly provided in this Order. Individuals may also leave their residence as follows:

- a. To perform work for an Essential Business, including Minimum Basic Operations.
 - b. To work for, volunteer at, or obtain services at “Healthcare Operations” as designated by the State Public Health Officer at <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf>.
 - c. To provide any services or perform any work necessary to the operations and maintenance of “Essential Infrastructure” as designated by the State Public Health Officer at <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf>. All Essential Infrastructure shall be performed in compliance with Social Distancing Requirements to the greatest extent feasible.
 - d. To provide necessary care for a family member or pet in another household who has no other source of care.
 - e. To attend a funeral with no more than 10 individuals present while maximizing streaming or similar technology.
 - f. To move between residences or to a new residence, but only if it is not possible to defer an already planned move, if the move is necessitated by safety, sanitation, or habitability reasons, or if the move is necessary to preserve access to shelter. When moving from an area with high community transmission, individuals are strongly urged to quarantine for 14 days. To quarantine, individuals should follow the guidance of the United States Centers for Disease Control and Prevention.
 - g. All first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others who need to perform essential services are categorically exempt from this Order to the extent they are performing essential services.
 - h. Nothing in this Order shall prohibit any individual from performing or accessing “Essential Governmental Functions,” as determined by the governmental entity performing those functions. Each governmental entity shall identify and designate appropriate employees, volunteers, or contractors to continue providing and carrying out any Essential Governmental Functions, including the hiring or retention of new employees or contractors to perform such functions. Each governmental entity and its contractors must employ all necessary emergency protective measures to prevent, mitigate, respond to and recover from the COVID-19 pandemic, and all Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements to the greatest extent feasible.
 - i. To seek services or engage in activities at a Stage 2 or Stage 3 business that has been allowed to reopen in the County, as set forth in Section 11.e.
10. Activities. Individuals may leave their residence to perform any of the following “Essential Activities.” But people at high risk of severe illness from COVID-19 and people who are sick are strongly urged to stay in their residence to the extent possible, except as necessary to seek medical care or Essential Governmental Functions. Essential Activities are:
- a. 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 they need to work from home.

- b. 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 supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
 - c. To engage in outdoor recreation as set forth in the State Shelter Order Frequently Asked Questions, <https://covid19.ca.gov/stay-home-except-for-essential-needs/> with the following limitations and allowances:
 - i. Outdoor recreation and sports are allowed with adherence to Social Distancing Requirements set forth in Section 14 and in compliance with any guidance document posted by the County. Person-to-person contact sports are prohibited.
 - ii. The use of public or semi-private (i.e., home owners' associations) swimming pools are allowed subject to the rules of the facility/association, proper maintenance (including disinfection with chlorine and bromine pursuant to an established schedule), and adherence to Social Distancing Requirements set forth in Section 14.
 - d. Drive-in activities are allowed with adherence to Social Distancing Requirements set forth in Section 14.
 - e. To seek services or engage in activities at a Stage 2 or Stage 3 business that has been allowed to reopen in the County, as set forth in Section 11.e.
11. Businesses. Only businesses designated by the State Public Health Officer at <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf> or those businesses allowed to reopen as set forth in Section 11.e., below, are permitted to operate. All other businesses are permitted to engage in only Minimum Basic Operations, as defined below in 11.c. All businesses shall continue to post and implement a Social Distancing Protocol at each of their facilities at which they are maintaining operations, as specified below in 11.d.
- a. Definition. A "business" includes any for-profit, non-profit, or educational entity, whether a corporate entity, organization, partnership or sole proprietorship, and regardless of the nature of the service, the function it performs, or its corporate or entity structure.
 - b. Essential Businesses. "Essential Businesses" consist of the Essential Workforce designated by the State Public Health Officer at <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf>.
 - c. Minimum Basic Operations. "Minimum Basic Operations" include the following, provided that owners, employees, and contractors comply with Social Distancing Requirements as defined in this Section 14, to the greatest 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 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.
 - d. Social Distancing Protocol. All businesses must prepare and post a "Social Distancing

Protocol” for each of their facilities in the County frequented by the public or employees. The Social Distancing Protocol must be substantially in the form attached to this Order as Appendix A. 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 and to any authority enforcing this Order upon demand. The Social Distancing Protocol must explain how the business is achieving the following, as applicable:

- i. Limiting the number of people who can enter into the facility at any one time to ensure that people in the facility can easily maintain a minimum six-foot distance from one another at all times, except as required to complete the Essential Business activity;
 - ii. Where lines may form at a facility, marking six-foot increments at a minimum, establishing where individuals should stand to maintain adequate social distancing;
 - iii. Providing hand sanitizer, soap and water, or 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 members of the public (e.g. cashiers);
 - iv. Providing for contactless payment systems or, if not feasible to do so, the providing for disinfecting 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: avoid entering the facility if they have a cough or fever; maintain a minimum six-foot distance from one another; sneeze and cough into one’s elbow; not shake hands or engage in any unnecessary physical contact; and
 - vii. Any additional social distancing measures being implemented (see the Centers for Disease Control and Prevention’s guidance at: <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>).
- e. Framework for Reopening. Businesses will be permitted to reopen according to the State’s four-stage framework, which includes provisions for reopening of lower-risk businesses and spaces (“Stage Two”), to be followed by the reopening of higher-risk businesses and spaces (“Stage Three”) to allow for the gradual resuming of various activities while continuing to preserve public health in the face of COVID-19. The State Public Health Officer has been directed to establish criteria and procedures for determining whether and how local jurisdictions may implement measures that are less restrictive than any public health measure implemented on a statewide basis. On May 19, 2020, the County was added to the list of counties approved for a variance to move through Stage 2 more quickly or in a different order than specified in California’s Pandemic Roadmap, thereby allowing the County to allow the reopening of specified activities identified by the State as part of Expanded Stage 2 or Stage 3. At this time and under this Order, Stage 2 and Stage 3 activities may reopen in Napa County as the State posts guidance documents for each sector on the State of California website, with the exception of higher risk activities such as gyms and indoor fitness facilities that will be allowed to reopen when the Health Officer determines that local conditions and disease epidemiology indicate it is prudent to allow such facilities to reopen.

12. Gatherings. All public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise modified by the County Public Health Officer through guidance documents and/or frequently asked questions.
13. Travel. All travel for urgent matters or essential work is permitted. Individuals should avoid traveling long distances as much as possible.
14. Social Distancing Requirements. “Social Distancing Requirements” means:
 - a. Maintaining at least six-foot social distancing from individuals who are not part of the same household or living unit;
 - b. Frequently washing hands with soap and water for at least 20 seconds, or using hand sanitizer that is recognized by the Centers for Disease Control and Prevention as effective in combatting COVID-19;
 - c. Covering coughs and sneezes with a tissue or fabric or, if not possible, into the sleeve or elbow (but not into hands); and
 - d. Avoiding all social interaction outside the household when sick with a fever or cough.

All individuals must strictly comply with Social Distancing Requirements, except to the limited extent necessary to provide care (including childcare, adult or senior care, care to individuals with special needs, and patient care); as necessary to carry out the work of Essential Businesses, Essential Governmental Functions, or provide for Minimum Basic Operations; or as otherwise expressly provided in this Order.

15. Cloth Face Coverings. All individuals located in the County are required to adhere to the State of California’s face coverings requirement, as set forth by the State Public Health Officer at:
https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Guidance-for-Face-Coverings_06-18-2020.pdf.
16. Government agencies and other entities operating shelters and other facilities that house or provide meals or other necessities of life for individuals experiencing homelessness must take appropriate steps to help ensure compliance with Social Distancing Requirements, including adequate provision of hand sanitizer.
17. 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 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.
18. This Order shall become effective immediately and will continue to be in effect until it is rescinded, superseded, or amended in writing by the Health Officer.
19. 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.

20. 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:



Karen Relucio, MD
Napa County Health Officer

Date: June 18, 2020

Appendix A — Social Distancing Protocol

Business name: Click or tap here to enter text.

Facility Address: Click or tap here to enter text.

Approximate gross square footage of space open to the public: Click or tap here to enter text.

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 customers 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.
 - Symptom checks are being conducted before employees may enter the work space.
 - All desks or individual work stations are separated by at least six feet.
 - Break rooms, bathrooms, and other common areas are disinfected frequently, on the following schedule:
 - Break rooms:
 - Bathrooms:
 - Other (Click or tap here to enter text.): Click or tap here to enter text.
 - Disinfectant and related supplies are available to all employees at the following location(s): Click or tap here to enter text.
 - Hand sanitizer effective against COVID-19 is available to all employees at the following location(s): Click or tap here to enter text.
 - Soap and water are available to all employees at the following location(s): Click or tap here to enter text.
 - Copies of this Protocol have been distributed to all employees.
 - Optional—Describe other measures: Click or tap here to enter text.
-

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

- Limit the number of customers in the store at any one time to Click or tap here to enter text.[insert maximum number here], which allows for customers 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 customers 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: Click or tap here to enter text.
- Optional—Describe other measures: Click or tap here to enter text.

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 customers from gathering.
- All employees have been instructed to maintain at least six feet distance from customers 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: [Click or tap here to enter text.](#)

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

- Require employees to wear cloth face coverings to prevent asymptomatic transmission of COVID-19 from the wearer to others.
- 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 customer 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, 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: