

**FIFTH AMENDED AND RESTATED ORDER OF THE YOLO COUNTY PUBLIC
HEALTH OFFICER REGARDING COVID-19 PROTECTIONS**

DATE OF ORDER: March 24, 2021

Please read this Order carefully. Violation of, or failure to comply with, this Order is a public nuisance subject to citation, abatement, or both, as well as a misdemeanor punishable by fine, imprisonment, or both. (California Government Code § 8634 and 8665; California Health and Safety Code §§ 120155, 120275, 120220, 120295; California Penal Code § 69, 148(a)(1)); Executive Orders 25-20 and 60-20.

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, 120175, AND 120220, THE HEALTH OFFICER OF THE COUNTY OF YOLO (“HEALTH OFFICER”) HEREBY ORDERS AS FOLLOWS:

1. This Fifth Amended Order amends and restates the June 18, 2020 County Health Officer Order, as last revised on February 10, 2021, regarding the COVID-19 pandemic to update certain requirements to reflect current conditions and state guidance. This Order retains all other substantive provisions of the Fourth Amended Order, retains **Attachment A thereto (Personal Health and Safety and High-Risk Populations Guidance)**, and incorporates a contemporaneous amendment to **Attachment B (Business and Activity Restrictions)** to reflect the County’s move into Tier 3 (Orange Tier) of the State’s *Blueprint for a Safer Economy*. Attachment B may be amended from time to time at the direction of the County Health Officer to add or remove businesses and activities. Updates will be posted to www.yolocounty.org/coronavirus-roadmap and shall be considered incorporated into this Order upon posting.

This Fifth Amended Order will take effect upon issuance and shall remain in effect until rescinded, superseded, or amended in writing by the Health Officer. Key provisions of this Order include:

- Section 3, which explains **the State Face Coverings Order remains in full force** in light of its importance in maintaining community health;
- Section 4, which introduces an attachment containing **personal health and safety guidance** that is essential for all community members to follow, along with a reminder about existing guidance for high-risk populations (also attached); and
- Sections 6 and 7, which refer to **binding directives and non-binding guidance**, respectively, available at www.covid19.ca.gov and at tabs on www.yolocounty.org. These materials include directives and guidance from California Department of Public Health and other authorities, including Yolo County, that restrict how certain activities (for example, golf, restaurant operations, and non-essential retail) may be carried out. **As the Health Officer approves new State guidance documents for specific activities, those documents (or links) will be posted on the County website and covered activities may proceed on the implementation date indicated in the State guidance. All such activities shall be implemented in compliance with applicable State guidance, any local modifications thereto, and the State Face Coverings Order.**

2. As required by California law, the statewide stay-at-home orders issued by the State Public Health Officer and related guidance from the California Department of Public Health **continue to apply in Yolo County**. This means that residents, businesses, and others must follow all statewide requirements set by the State Public Health Officer for as long as those requirements remain in effect, including any changes to those requirements made over time. Such changes are frequent but, as of the date of this Order, State restrictions include limits on non-essential (i.e., tourism or recreational) travel to any part of California more than 120 miles from your place of residence, gatherings, and certain business and social activities, as described in the following State materials:

- A. The March 19, 2020 State Public Health Officer Order (the “State Shelter Order”) setting baseline statewide restrictions on individuals and most activities, including business operations;
- B. Executive Order N-33-20, also issued on March 19, 2020, directing California residents to follow the State Shelter Order;
- C. The May 7, 2020 State Public Health Officer Order announcing a Roadmap for the phased relaxation of business and activity restrictions associated with COVID-19;
- D. The June 18, 2020 Guidance for the Use of Face Coverings issued by the California Department of Public Health requiring Californians to wear a face covering outside their home, as updated on November 16, 2020;
- E. The August 28, 2020 State Public Health Officer Order announcing a tiered system for business and activity restrictions;
- F. The January 6, 2021 Travel Advisory issued by the California Department of Public Health encouraging Californians to avoid non-essential travel to any part of California more than 120 miles from one’s place of residence, or to other states or countries, and strongly encouraging travelers (including state residents) returning from other states or countries to self-quarantine at home for 10 days (with limited exceptions); and
- G. All related directives issued by the State Public Health Officer in connection with the foregoing. As of the date of this Order, those directives are set forth in the guidance documents and other materials included on the www.covid19.ca.gov website.

3. While the local Face Coverings Order issued on April 24, 2020 is no longer in effect, the State Order on Face Coverings **remains in full effect within the County**. Compliance is critical to maintaining a stable public health situation and minimizing the spread of COVID-19. Comprehensive information on the State Face Coverings Order and the public health benefits of wearing a face covering is available at: <https://covid19.ca.gov/masks-and-ppe/>. As explained at the link, face coverings can help limit the spread of COVID-19:

Coronavirus spreads when an infected person coughs, sneezes, sings, talks, or breathes and is in close contact with or in an indoor space with others. You may be infected even if you feel well. Virus particles can travel at least 6 feet in indoor spaces and can remain suspended in air even after an infected person has left the space. Indoor settings pose a much higher risk of transmission than outdoor settings. Masks can reduce your exposure to infectious droplets through filtration.

Consistent with this language, the Health Officer emphasizes the continuing importance of personal responsibility, awareness, and community support for practicing responsible behaviors to minimize COVID-19 spread. Consistent, widespread adherence to the practices described in this Order (including Section 4, below) and the requirements of the State Face Coverings Order will make a meaningful difference in our community, controlling the spread of COVID-19 and allowing more businesses to reopen and activities to resume over time.

4. In addition to the State Face Coverings Order, the Health Officer strongly urges all residents to follow the personal health and safety guidance set forth in **Attachment A (Personal Health and Safety Guidance)** hereto, incorporated herein by this reference. The guidance set forth in Attachment A includes many physical distancing, hygiene, and other behaviors that have become routine for most members of our community. Please review the guidance carefully and check for updates from time to time at www.yolocounty.org and www.yolocounty.org/coronavirus-roadmap. Consistently following the behaviors described therein while you are at home, at work, and in the community is of vital importance to the public health and economic well-being of our County.

For high-risk populations, including those over 65 years of age and individuals with serious health conditions, Attachment A also includes separate guidance document (“High-Risk Populations”) with recommendations. The Health Officer encourages higher risk individuals to remain at home as much as possible and to adhere to the other safety recommendations in the guidance document.

5. As stated generally in Paragraph 1, above, this Order supersedes the following prior local Health Officer Orders, which are of no further force or effect:

- A. The March 18 Yolo County Shelter in Place Order;
- B. The April 24 order revising the Local Shelter Order to authorize certain recreational activities; however, activity-specific protocol included in that order remain in full force and effect; and
- C. The April 1 and April 30 orders extending the Local Shelter Order.

6. As the State allows new business types and other activities, it frequently issues guidance documents that are posted to www.covid19.ca.gov. **The Health Officer will review and approve (as issued or with local modifications) State guidance documents. Those documents, or links to those documents, will then be posted online at www.yolocounty.org and www.yolocounty.org/coronavirus-roadmap. Activities covered by posted guidance (or links) may proceed on the implementation date indicated in the State guidance. All such activities shall be implemented in compliance with applicable State guidance, any local modifications thereto, and the State Face Coverings Order.**

It is important to note that while styled as “guidance” by the State, these guidance documents require preparation of binding and enforceable site-specific plans. Affected businesses or groups responsible for covered activities must therefore review the guidance carefully and prepare site-specific plans. Further, all businesses and other authorized activities taking place in a particular location (for example, worship services in churches) shall complete in good faith and at all times adhere to applicable measures set forth in a completed Social

Distancing Protocol worksheet provided by the County, available at www.yolocounty.org/coronavirus-roadmap or <https://www.yolocounty.org/home/showdocument?id=64180>. A copy of the completed worksheet shall be posted at the entry (or similar prominent location) of each facility.

Businesses and governmental entities must require that all personnel immediately alert the business or governmental entity if they test positive for COVID-19 and were present in the workplace within the 48 hours prior to onset of symptoms or within 48 hours of the date on which they were tested. In the event a business or governmental entity is notified of three or more confirmed positive cases of COVID-19 among its personnel that meet the foregoing criteria within a 14-day period, the business or governmental entity is required to report the positive cases within **48 hours** to the Community Health Branch of the Yolo County Health and Human Services Agency by calling 530-666-8614. Businesses and governmental entities must also comply with all case investigation, contact tracing, and outbreak investigation measures by the County, including providing any information requested within the timeframe provided by the County, instructing employees to follow isolation and quarantine protocols specified by the County, and excluding positive cases and close contacts from the workplace during these isolation and quarantine periods.

Notwithstanding anything to the contrary herein, this Order preserves the authority of the Health Officer to decline to approve State guidance documents that allow additional business types and activities to resume, in which case the documents will not be posted on the County website and related activities may not proceed locally. The Health Officer may also issue amended or additional orders pursuant to, and consistent with all limitations in, California law. All materials that contain protocol described as mandatory, enforceable, required, or other similar terms indicating an expectation of compliance will be considered orders of the Health Officer issued pursuant to California law on the basis of the findings set forth in this Order. Such materials will be posted online at www.yolocounty.org and www.yolocounty.org/coronavirus-roadmap upon their approval by the Health Officer. These materials may be updated from time to time, and all such materials are incorporated herein by this reference.

7. The Health Officer may also issue non-binding guidance or other materials from time to time in support of the effort to minimize COVID-19 spread, promote public health, and support community awareness of the practices included in Attachment A. When deemed appropriate by the Health Officer, such materials will be posted online at www.yolocounty.org and www.yolocounty.org/coronavirus-roadmap. These materials may be updated as needed. Unless designated as orders or otherwise binding and enforceable, these materials are intended as general guidance only.

8. This Order is issued based on evidence of continued occurrence of COVID-19 within the County, the Sacramento region, California, and the United States of America, and considers scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically. With the virus that causes COVID-19, people can be infected and contagious and not have any symptoms, meaning they are asymptomatic. People can also be infected and contagious 48 hours before developing symptoms (pre-symptomatic). Further, many people with COVID-19 have mild

symptoms and do not recognize they are infected and contagious, and they can unintentionally infect others.

9. In addition to reasons set forth above, this Order is also issued in light of the existence, as of March 22, 2021, of 13,122 confirmed cases COVID-19 in the County, and 191 deaths. This Order is necessary to control and reduce the rate of community spread and to reinforce the need for safe interactions as the State permits additional activities. The Health Officer will continue to assess the public health situation as it evolves and may modify this Order, or issue additional Orders, related to COVID-19, as changing circumstances dictate.

10. This Order is also issued in accordance with, and incorporates by reference, the following authorities:

- The March 4, 2020 Proclamation of a State of Emergency issued by Governor Newsom
- The March 6, 2020 Proclamation by the Director of Emergency Services Declaring the Existence of a Local Emergency in the County
- the March 6, 2020 Declaration of Local Health Emergency Regarding Novel Coronavirus 2019 (COVID-19) issued by the Health Officer,
- The March 9, 2020 Resolution of the Yolo County Board of Supervisors Ratifying the Declaration of a Local Health Emergency and Proclamation of Local Emergency Regarding Novel Coronavirus
- The March 12, 2020 Executive Order (Executive Order N-25-20) issued by Governor Newsom
- The March 18, 2020 Shelter in Place Order issued by the County Health Officer (referred to herein as the Local Shelter Order)
- The March 19, 2020 State Public Health Officer Order (the “State Shelter Order”) setting baseline statewide restrictions on non-residential business activities, and Executive Order N-33-20, directing California residents to follow the State Shelter Order
- The May 7, 2020 order of the State Public Health Officer regarding a phased reopening of sectors of the state economy
- The June 18, 2020 Guidance for the Use of Face Coverings issued by the California Department of Public Health, as updated on November 16, 2020
- The August 28, 2020 State Public Health Officer Order announcing a tiered system for business and activity restrictions
- The November 13, 2020 Travel Advisory issued by California Department of Public Health encouraging Californians to avoid non-essential to other states or countries, as last updated on January 6, 2021
- All material posted to the COVID19.CA.GOV webpage that is clearly intended as a binding directive by the State, including through language in Executive Orders 25-20 and 60-20 directing residents to heed or obey State public health directives
- Guidance issued by the CDPH and CDC, as each of them have been and may be supplemented over time

11. All State orders are complementary to this Order and any other orders issued by the local Health Officer. Where a conflict exists between a local order and any State public health order related to the COVID-19 pandemic, the most restrictive provision controls pursuant to, and consistent with, California Health and Safety Code § 131080, unless the State Health Officer issues an order that expressly determines a provision of a local public health order is a menace to public health.

12. Pursuant to Government Code §§ 26602 and 41601 and Health and Safety Code § 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 and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both. Other administrative and judicial remedies are also available.

13. This Order shall become effective as set forth in Section 1, above. It will continue to be in effect until rescinded, superseded, or amended in writing by the Health Officer.

14. Copies of this Order shall promptly be: (1) made available at the County Administration Building at 625 Court Street, Woodland, CA 95695; (2) posted on the County website (www.yolocounty.org); and (3) provided to any member of the public requesting a copy of this Order.

15. If any provision of this Order or its application 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:



Dated: March 24, 2021

Aimee Sisson, MD, MPH
Health Officer of the County of Yolo

Attachments:

- A. Personal Health and Safety and High-Risk Populations Guidance**
- B. Business and Activity Restrictions**