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COUNTY HEALTH OFFICER

COUNTY OF ORANGE HEALTH OFFICER'S ORDERS AND STRONG RECOMMENDATIONS

(Revised September 8, 2020)

In light of the Statewide Public Health Officer Order, issued on August 28, 2020, and the State of California's new blueprint for reducing COVID-19 in the state with revised criteria for adjusting restrictions on business and activities based on a new tier system, the following **Orders and Strong Recommendations** shall revise and replace the prior Orders and Strong Recommendations of the County Health Officer that were issued on July 13, 2020. The Amended Orders and Strong Recommendations issued on July 13, 2020 are no longer in effect as of September 8, 2020. The latest Statewide Public Health Officer Order is available at https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/8-28-20_Order-Plan-Reducing-COVID19-Adjusting-Permitted-Sectors-Signed.pdf.

Pursuant to California Health and Safety Code sections 101030, 101040, 101470, 120175, and 120130, the County of Orange's Health Officer orders and strongly recommends the following:

ORDERS

Effective immediately, and continuing until further notice, the following shall be in effect in unincorporated and incorporated territories of Orange County, California:

1. **Business and Activities: Who May and May Not Open.** Only those businesses and activities allowed to open under the tier assigned to Orange County may open, provided that such businesses and activities comply with all applicable restrictions for that tier. As of September 8, 2020, Orange County is assigned to the *Red/Substantial/Tier 2*. See the following link for the list business and activities that may open under each tier and the restrictions that apply to each tier: https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Dimmer-Framework-August_2020.pdf

The indoor operations of museums, gyms, dance studios, yoga studios, zoos and aquariums may not exceed their corresponding listed capacity for a tier *or* 100 individuals (including employees and other staff) *whichever is less*. Capacity is defined by Fire Code Occupancy.

2. **Business and Activities: Comply with Applicable Industry Guidance.** In addition, all businesses and activities allowed to open under #1, above, shall operate in accordance with their applicable industry guidance. See the following link for a list of the industry guidance: <https://covid19.ca.gov/industry-guidance/>.

3. **Business and Activities: Comply with Certain Criteria Before Re-Opening.** In addition, all businesses and activities that are allowed to open under #1, above, must post a separate document at a location visible to the public at the public entrance of the property that specifically includes an attestation by the business or activity owner and/or operator that it has done *all* the following *prior* to reopening:
- i. Completely reviewed the industry guidance that applies to your business or activity;
 - ii. Performed a detailed risk assessment and created a worksite-specific protection plan;
 - iii. Trained employees on how to limit the spread of COVID-19, including how to screen themselves for symptoms and when to stay home;
 - iv. Set up individual control measures and screenings;
 - v. Put disinfection protocols in place;
 - vi. Established physical distancing guidelines;
 - vii. Established universal face covering requirements (with allowed exceptions) in accordance with CDPH guidelines at https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Guidance-for-Face-Coverings_06-18-2020.pdf;
4. **Self-isolation of Persons with COVID-19.** All Orange County residents and visitors who have been diagnosed with or are likely to have COVID-19, as defined below, shall immediately isolate themselves in their home or another residence under the following criteria, as applicable:
- a) Individuals with COVID-19 symptoms shall isolate themselves until: (i) at least 24 hours after they have recovered, meaning their fever has resolved without use of fever-reducing medications and their respiratory symptoms (e.g., cough, shortness of breath) have improved; AND (ii) at least 10 days has elapsed from when their symptoms first appeared.
 - b) Individuals who have a positive COVID-19 PCR or rapid antigen laboratory test result and are without COVID-19 symptoms shall isolate themselves for 10 days from the date when the first specimen for the positive COVID-19 laboratory test result was obtained.

Unless one of the criteria, above, applies, i.e. 1.a) or 1.b), the individual may not leave his or her place of isolation except to receive necessary medical care.

A person is considered to be diagnosed with or likely to have COVID-19, if the person has:

- a) Received a positive COVID-19 PCR or rapid antigen laboratory test result; and/or
- b) Been informed by a physician that he or she is likely to have COVID-19 and/or;
- c) Signs and symptoms that are consistent with COVID-19 (i.e., new onset of fever, cough, shortness of breath or trouble breathing).

If a more specific isolation order is issued by the County Health Officer for any county resident, the specific order shall be followed instead of this order # 3.

This self-isolation order DOES NOT in any way restrict access by emergency responders to an isolation site during an emergency. See the U.S. Department of Labor's *Families First Coronavirus Response Act Q&A* (Question 57 available at <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>) for a definition of emergency responder.

5. **Self-Quarantine of Persons Exposed to COVID-19**. All Orange County residents and visitors who know that they have been in close contact, as defined below, with a person diagnosed with or likely to have COVID-19 shall take the following actions:

- a) Quarantine themselves in their home or another residence until 14 days from the last date that they were in close contact with a person that has been diagnosed with or likely to have COVID-19.

Exposed persons shall self-quarantine themselves for the entire 14-day COVID-19 incubation period, the typical time between exposure and when symptoms and signs of the disease may develop. They may not leave their place of quarantine except to receive necessary medical care or to obtain such other goods or services necessary for their basic subsistence.

Close contact refers to any person who has been within 6 feet of an infectious COVID-19 person for 15 minutes or more. A person who is diagnosed with or likely to have COVID-19 is considered infectious from 48 hours before his or her symptoms first appeared until the person is no longer required to be isolated. A person who is diagnosed with COVID-19 but has no symptoms is considered infectious from 48 hours prior to the date the person was tested until 10 days after that date.

If a more specific quarantine order is issued by the County Health Officer for any county resident, that order shall be followed instead of this order #4.

This self-quarantine order DOES NOT in any way restrict access by first responders to a quarantine site during an emergency.

This self-quarantine SHALL NOT APPLY to health care providers and emergency responders, as defined by the U.S. Department of Labor's *Families First Coronavirus Response Act Q&A* (see Questions 56 and 57, respectively, available at <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>).

6. **Wear a Cloth Face-Covering**. To help prevent the spread of droplets containing COVID-19, all county residents and visitors shall wear face coverings in certain high-risk situations, as required by the *Guidance for the Use of Face Coverings* issued by California Department of Public Health (CDPH) on June 18, 2020. The Guidance is attached as Exhibit A and also available at:

https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Guidance-for-Face-Coverings_06-18-2020.pdf.

Please refer to this link or Exhibit A for a list of high-risk situations wherein county residents and visitors shall wear a face covering, and for a list of individuals who are exempt from wearing a face covering.

7. **Seasonal Flu Vaccination for Certain County Residents and Visitors.** All county residents and visitors who are providers for congregate settings, health care providers, or emergency responders in Orange County shall obtain the seasonal flu vaccination unless a medical or religious exemption applies. See the U.S. Department of Labor's *Families First Coronavirus Response Act Q&A* (Questions 56 and 57, respectively, available at <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>) for definitions of health care provider and emergency responder.

STRONG RECOMMENDATIONS

Effective immediately, and continuing until further notice, the following shall be in effect in unincorporated and incorporated territories in Orange County, California:

1. **Maintain Six Feet of Physical Distancing.** All Orange County residents and visitors should maintain at least 6 feet of physical distance from another person who is not a family/household member or live in the same living unit, when (i) in a public place; (ii) visiting a retail, commercial or other place of business; or (iii) at work.
2. **For Vulnerable Population.** All Orange County residents who are 65 years old or older; have serious underlying medical conditions (for example, chronic lung disease, moderate to severe asthma, serious heart conditions, severe obesity, diabetes, chronic kidney disease undergoing dialysis, liver disease); or have a compromised immune system should remain at home consistent with guidance provided by the California Department of Public Health (CDPH) available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/PublicHealthGuidanceSelfIsolationforOlderAdultsandThoseWhoHaveElevatedRisk.aspx>.
3. **Seasonal Flu Vaccination for County Residents.** All County residents should obtain the seasonal flu vaccination unless a medical or religious exemption applies.
4. **Other Recommendations.** All Orange County residents should avoid contact with people who are sick; not gather in groups; stay out of crowded places; avoid mass gatherings; wash hands frequently; wash face coverings frequently; cover coughs and sneezes; and clean and disinfect frequently touched surfaces daily, including tables, doorknobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets, and sinks.

GENERAL PROVISIONS

1. The orders and strong recommendations, above, shall not supersede any conflicting or more restrictive orders issued by the State of California or federal government. If any portion of this document or the application thereof to any person or circumstance is

held to be invalid, the remainder of the document, 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 the orders and strong recommendations are severable.

2. The orders contained in this document may be enforced by the Orange County Sheriff or Chiefs of Police pursuant to California Health and Safety Code section 101029, and California Government Code sections 26602 and 41601. A violation of a health order is subject to fine, imprisonment, or both (California Health and Safety Code section 120295).

REASONS FOR THE ORDERS AND STRONG RECOMMENDATIONS

1. On February 26, 2020, the County of Orange Health Officer declared a Local Health Emergency based on an imminent and proximate threat to public health from the introduction of a novel coronavirus disease (COVID-19) in Orange County.
2. On February 26, 2020, the Chairwoman of the Board of Supervisors, acting as the Chair of Emergency Management Council, proclaimed a Local Emergency in that the imminent and proximate threat to public health from the introduction of COVID-19 created conditions of extreme peril to the safety of persons and property within the territorial limits of Orange County.
3. On March 2, 2020, the Orange County Board of Supervisors adopted Resolutions No. 20-011 and No. 20-012 ratifying the Local Health Emergency and Local Emergency, referenced above.
4. On March 4, 2020, the Governor of the State of California declared a State of Emergency to exist in California as a result of the threat of COVID-19.
5. There is currently no vaccine to prevent COVID-19. According to the Centers for Disease Control and Prevention (CDC), the best way to prevent COVID-19 is to avoid being exposed to the novel corona virus. According to the CDC, the novel corona virus is thought to spread mainly from person-to-person due to the following: (1) between people who are in close contact with one another (within about 6 feet); (2) through respiratory droplets produced when an infected person coughs, sneezes or talks; (3) these droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs; (4) some recent studies have suggested that COVID-19 may be spread by people who are not showing symptoms. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>.
6. According to the CDC everyone should (1) wash their hands often with soap and water for at least 20 seconds (or use hand sanitizer that contains at least 60% alcohol when soap and water is not readily available) especially after having been in contact in a public place, or after blowing their nose, coughing, or sneezing; (2) avoid contact with people who are sick, stay at least 6 feet from other people, not gather in groups, stay out of crowded places, and avoid mass gatherings; (3) cover their mouth and nose with a cloth face cover when around others when they are out in public; (4) cover coughs and sneezes; and (5) clean and disinfect frequently touched surfaces daily, including tables, doorknobs, light switches, countertops, handles, desks,

phones, keyboards, toilets, faucets, and sinks. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>.

7. The CDC recommends that everyone wear cloth face coverings when leaving their homes, regardless of whether they have fever or symptoms of COVID-19. This is because of evidence that people with COVID-19 can spread the disease, even when they don't have any symptoms. Cloth face coverings should not be placed on young children under age 2, anyone who has trouble breathing, or is unconscious, incapacitated, or otherwise unable to remove the mask without assistance. See <https://www.cdc.gov/coronavirus/2019-ncov/downloads/cloth-face-coverings-information.pdf>.

8. The CDPH also issued a Guidance for the Use of Face Coverings on June 18, 2020, available at:

https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Guidance-for-Face-Coverings_06-18-2020.pdf.

The Guidance requires people in California to wear face coverings in certain enumerated high-risk situations, and provides a number of exemptions, as well as providing a description of what is a face covering.

9. According to the CDC, COVID-19 is a new disease and there is limited information regarding risk factors for severe disease. Based on currently available information and clinical expertise, older adults (65 years older and older), people who live in a nursing home or long-term care facility, and people of any age who have serious underlying medical conditions might be at higher risk for severe illness from COVID-19. See <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html>. According to the CDC, this at higher risk population should stay home (if possible) and practice social distancing of at least 6 feet both in and outside the home. See <https://www.cdc.gov/coronavirus/2019-ncov/downloads/COVID19-What-You-Can-Do-High-Risk.pdf>.

See also: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/PublicHealthGuidanceSelfIsolationforOlderAdultsandThoseWhoHaveElevatedRisk.aspx>.

10. The orders and the strong recommendations contained herein are based on the fact that there is currently no vaccine to protect against COVID-19, and no proven therapeutic treatment for it; scientific evidence regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, as well as best practices as currently known and available to protect the older adults (65 years older and older), people who live in a nursing home or long-term care facility, and people of any age who have serious underlying medical conditions from avoidable risk of serious illness or death resulting from exposure to COVID-19.
11. There remains a strong likelihood of a significant and increasing number of cases of community transmission; some individuals who contract the novel coronavirus have no symptoms or have only mild symptoms, and so are unaware that they carry virus and are transmitting it to others; evidence shows that the novel coronavirus can

survive for hours or even days on surfaces and can be indirectly transmitted between individuals.

12. The age, condition, and health of a significant portion of Orange County population place them at risk for serious health complications, including hospitalization and death, from COVID-19. Younger and otherwise healthy people are also at risk for serious negative health outcomes and for transmitting the novel coronavirus to others.
13. The orders and strong recommendations contained in this document are necessary preventive measures to control and reduce the spread of COVID-19 in Orange County, help preserve critical and limited healthcare capacity in Orange County, and thereby save the lives of Orange County residents.
14. The California Health and Safety Code section 120175 requires the County of Orange Health Officer knowing or having reason to believe that any case of a communicable disease exists or has recently existed within the County to take measures as may be necessary to prevent the spread of the disease or occurrence of additional cases.
15. The California Health and Safety Code sections 101030 and 101470 require the county health officer to enforce and observe in the unincorporated territory of the county and within the city boundaries located with a county all of the following: (a) Orders and ordinances of the board of supervisors, pertaining to the public health and sanitary matters; (b) Orders, including quarantine and other regulations, prescribed by the department; and (c) Statutes relating to public health.
16. The California Health and Safety Code section 101040 authorizes the County of Orange Health Officer to take any preventive measure that may be necessary to protect and preserve the public health from any public health hazard during any “state of war emergency,” “state of emergency,” or “local emergency,” as defined by Section 8558 of the Government Code, within his or her jurisdiction. “Preventive measure” means abatement, correction, removal or any other protective step that may be taken against any public health hazard that is caused by a disaster and affects the public health.
17. The California Health and Safety Code section 120130 (d) authorizes the County of Orange Health Officer to require strict or modified isolation, or quarantine, for any case of contagious, infectious, or communicable disease, when such action is necessary for the protection of the public health.

IT IS SO ORDERED:

Date: September 8, 2020



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