

**ORDER OF THE SAN JOAQUIN COUNTY
PUBLIC HEALTH OFFICER AND
DIRECTOR OF EMERGENCY SERVICES
OF THE COUNTY OF SAN JOAQUIN
DIRECTING
ALL INDIVIDUALS LIVING IN THE COUNTY TO STAY AT HOME OR AT
THEIR PLACE OF RESIDENCE AND RESTRICTING ACTIVITIES IN
RESPONSE TO THE COVID-19 OUTBREAK, WITH EXCEPTIONS AND
EXEMPTIONS, AS SPECIFIED**

DATE OF ORDER: May 8, 2020

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

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 SAN JOAQUIN ("HEALTH OFFICER") AND UNDER THE AUTHORITY OF CALIFORNIA GOVERNMENT CODE SECTION 8634 AND SAN JOAQUIN ORDINANCE CODE SECTION 4-3005, THE SAN JOAQUIN COUNTY PUBLIC HEALTH OFFICER and DIRECTOR OF EMERGENCY SERVICES OF THE COUNTY OF SAN JOAQUIN ORDERS:

1. This Order repeals and replaces the order issued by the Director of Emergency Services on April 14, 2020, as amended on April 24, 2020, and incorporates by reference the directive from the California State Public Health Officer designating Essential Critical Infrastructure Workers. For more information on Essential Critical Infrastructure Workers, see <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf>. All sections of this order are binding on all businesses and individuals in San Joaquin County.
2. This Order is issued in response to Executive Order N-60-20, issued by Governor Newsom on May 4, 2020, and implements Executive Order N-33-20, issued by Governor Newsom on March 19, 2020, to ensure that the maximum number of people self-isolate in their homes or places of residence to the maximum extent feasible 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 must at all times comply with Social Distancing Requirements as defined in Section 11 of this Order. All provisions of this Order should be interpreted to effectuate this purpose. Failure to comply with

any of the provisions of this Order constitutes an imminent threat to public health.

3. All individuals currently living within the County of San Joaquin (the "County") are ordered to stay at home or place of residence. To the extent individuals leave their homes or places of residence, they must, to the fullest extent, 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 to engage in the permitted Activities as defined in Section 11. Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter. Persons experiencing homelessness that are unable to locate shelter should refrain from being in encampments of more than 10 people, 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).
4. This Order is issued based on evidence of escalating occurrence of COVID-19 within the County and throughout Northern California indicating that current efforts are not producing the desired result of reducing spread.

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 COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware they carry the virus. Because even people without symptoms can transmit the disease, 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. While the evidence in San Joaquin County suggests that the individual efforts taken to date are reducing the transmission rate, it is imperative that everyone continues to abide by the Social Distancing Requirements. By reducing the spread of the COVID-19 virus, this Order helps preserve critical and limited healthcare capacity in the County.

5. All businesses with a facility or job site in the County, that are allowed to operate under any State Public Health order, or local health order, are directed to maximize the number of employees who work from home. All businesses operating within the County shall comply with Social Distancing Requirements as defined in Section 11 and implement Social Distancing Protocols as specified in Section 12, below, except Outdoor Sports Facilities that shall implement the Outdoor Sports Facility Social Distancing Plan attached as Exhibit B.
6. All public and private gatherings of any number of people occurring outside

a household or living unit are prohibited, except for the limited purposes as expressly permitted in Section 11. All bars, tasting rooms, and brewpubs shall close to the public. All in-dining at restaurants shall cease. Restaurants may continue to provide home delivery and takeout. All gyms, bingo halls, and card rooms shall remain closed to the public. Nothing in this Order prohibits the gathering of members of a household or living unit.

7. All travel is prohibited, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, except for Essential Travel 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.
8. This Order also is issued in light of the existence, as of May 7, 2020, of 579 cases of COVID-19 in the County, and likely further significant increases in transmission. This Order is necessary to slow the rate of spread. The County will re-evaluate it as further data becomes available.
9. 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 12, 2020, Governor Newsom's March 12, 2020 Executive Order N-25-20, the March 17, 2020 Resolution of the Board of Supervisors of the County of San Joaquin Ratifying the Declarations of Local Health Emergency, the Declaration of a Local Emergency on March 17, 2020, Governor Newsom's March 19, 2020 Executive Order N-33-20, the designation by the State Public Health Officer of Essential Critical Infrastructure Workers issued April 28, 2020, the March 24, 2020 Resolution of the Board of Supervisors of the County of San Joaquin Ratifying the Declaration of Local Emergency, the Order of the San Joaquin County Public Health Officer and Director of Emergency Services of April 14, 2020, as amended on April 24, 2020, and Governor Newsom's May 4, 2020, Executive Order N-60-20.
10. This Order comes after the release of substantial guidance from the County 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.
11. Definitions and Exemptions.

- a. For purposes of this Order "State Health Order" means an order

Order of the San Joaquin Public Health Officer and County Director of
Emergency Services to Stay at Home or Place of Residence

issued by the California State Public Health Officer.

- b. For purposes of this Order “Local Health Order” means an order issued by the San Joaquin County Public Health Officer.
- c. For purposes of this Order, individuals may leave their residence for the purposes identified below. But 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.
 - 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 they need 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 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.
 - iii. To engage in outdoor activities including but not limited to, those activities identified in Exhibit A, provided the individuals comply with all applicable Social Distancing Requirements. **Do not use playground equipment.**
 - iv. To perform any of the activities approved by the State in the Critical Infrastructure Worker. (<https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf>)
 - v. To operate a business in the manner permitted under any State Public Health Order or Local Health Order, including performing Minimum Basic Operations at a business that are not permitted to be open to the public. 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 as defined in this Section while carrying out such operations:

1. 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.
 2. 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.
 3. All Businesses carrying out Minimum Basic Operations shall prepare, post and implement a Social Distancing Protocol at each facility or job site at which they are maintaining operations, as specified in Section 12.
- vi. To care for a family member or pet in another household.
- d. 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.
- e. For the purposes of this Order, "Essential Travel" is limited to 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 approved Activities.
 - 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 related services.
 - iv. Travel to 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.

- f. For purposes of this Order, residences include hotels, motels, shared rental units and similar facilities.
- g. 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. The use of face-coverings is strongly recommended.
- h. Faith-based gatherings: As expressed by the State of California in the matter of Gish, et al v. Newsom, et al, faith-based services may be conducted on-line, or in a drive-in like setting as long as those in attendance refrain from direct and indirect physical contact with others, and abide by physical distancing guidelines. Therefore, the following physical distancing requirements are adopted for all public faith-based gatherings:
 - (i) All activity must occur outdoors;
 - (ii) All persons attending the activity must be inside a motor vehicle occupied only by persons from the same household or living unit;

All motor vehicles at the gathering must maintain a distance of six feet from other vehicles;
 - (iii) All persons must remain in the vehicle in which they arrived at all times during the event;
 - (iv) No tangible items of any kind, including food products, may be transferred to persons in the motor vehicles;
 - (v) Notwithstanding the above, one or more persons, not exceeding five, may enter nearby buildings as necessary to putting on the presentation; and
 - (viii) All Social Distancing Requirements shall be complied with to the greatest extent feasible.

12. Social Distancing Protocols.
 - a. All Businesses allowed to operate under any State Public Health order or local public health order must prepare and post a "Social Distancing Protocol" for each of their facilities in the County frequented by the public or employees.
 - b. 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/job site, 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/job site. All businesses performing any level of permitted operations shall implement the Social Distancing Protocol and provide evidence of its implementation 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/job site at any one time to ensure that people in the facility/job site can easily maintain a minimum six-foot distance from one another at all times, except as required to complete the business activity;
 - ii. Excluding the public, except where permitted under any State or local health order.
 - iii. Where lines may form at a facility/job site, marking six-foot increments at a minimum, establishing where individuals should stand to maintain adequate social distancing;
 - iv. Providing hand sanitizer, soap and water, or effective disinfectant at or near the entrance of the facility/job site 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);
 - v. 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;
 - vi. Regularly disinfecting other high-touch surfaces; and
 - vii. Posting a sign at the entrance of the facility/job site informing all employees and customers that they should: avoid entering the facility/job site 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.

viii. Any additional social distancing measures being implemented by the State or under a local health order (see the Centers for Disease Control and Prevention’s guidance at: <https://www.cdc.gov/coronavirus/2019-ncov/community/guidancebusiness-response.html>).

13. Clarification of Businesses: All businesses allowed to operate in San Joaquin County pursuant to a State Health Order or Local Health Order including, but not limited to, real estate, landscaping, and retail outlets shall, to the fullest extent possible, implement the industry specific guidance developed by the State and available at: <https://covid19.ca.gov/roadmap/>
14. Golf Courses: All public and private golf courses may open for limited operations provided that the courses fully implement the Protocols contained in Exhibit B. Golf facilities that are licensed to, and elect to serve food for pick-up or delivery shall prepare, post and implement a Social Distancing Protocol at each facility where food is served, as specified in Section 12. Social distancing shall be required for persons.
15. 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 San Joaquin County Sheriff, the Director and Public Health Officer believe that enforcement through education is preferable but that other means of enforcement may be employed, as deemed appropriate by the law enforcement agency.
16. This Order shall become effective at 11:59 a.m. on May 8, 2020, and will continue to be in effect until it is rescinded in writing by the Health Officer.
17. Copies of this Order shall promptly be: (1) made available at the County Administration Building at 44 N. San Joaquin, Stockton 95202, First Floor; (2) posted on the San Joaquin County Home page (sjgov.org); and (3) provided to any member of the public requesting a copy of this Order.
18. 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.

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IT IS SO ORDERED:

Maggie Park, M.D.
San Joaquin County
Public Health Officer

Dated: May 8, 2020

Maggie Park, MD

Marcia Cunningham,
Director of Emergency Services of the
County of San Joaquin

Dated: May 8, 2020

Marcia Cunningham