

**LOCAL EMERGENCY ORDER AND REGULATION NO. 4
COVID-19**

MANDATORY SHELTER AT HOME -- ALL INDIVIDUALS LIVING IN THE COUNTY; EXCEPT THAT INDIVIDUALS MAY LEAVE TO PROVIDE OR RECEIVE CERTAIN ESSENTIAL SERVICES OR ENGAGE IN CERTAIN ESSENTIAL ACTIVITIES AND WORK FOR ESSENTIAL BUSINESSES AND GOVERNMENTAL SERVICES; EXEMPTING INDIVIDUALS EXPERIENCING HOMELESSNESS BUT URGING HOMELESS TO FIND SHELTER AND GOVERNMENT AGENCIES TO PROVIDE IT; DIRECTING ALL BUSINESSES AND GOVERNMENTAL AGENCIES TO CEASE NON-ESSENTIAL OPERATIONS AT PHYSICAL LOCATIONS IN THE COUNTY; PROHIBITING ALL NON-ESSENTIAL GATHERINGS OF ANY NUMBER OF INDIVIDUALS; AND CESSATION OF NON-ESSENTIAL TRAVEL

Please read this order carefully. Violation of or failure to comply with this order is a misdemeanor punishable by fine, imprisonment, or both. (County Code § 2.80.130.)

WHEREAS, at 10:00 a.m. on March 13, 2020, a Proclamation of Local Emergency was issued by the Emergency Services Director; and

WHEREAS, pursuant to Government Code Section 8634 and Title 2, Chapter 2.80, Section 2.80.080 of the San Luis Obispo County Code, the Chairman of the Board of Supervisors or in the event he is unavailable the Emergency Services Director, is empowered to make and issue orders and regulations on matters reasonably related to the protection of life and property; and

WHEREAS, COVID-19 presents an imminent and proximate threat to public health, and the residents of San Luis Obispo County; and

WHEREAS, heightened levels of public health and safety planning and preparedness have been necessitated in preparation for the emergence of confirmed cases of COVID-19, and now that cases have been confirmed in the County, immediate action must be taken to prevent the spread of the virus and to limit high risk activities and gatherings in all public places; and

WHEREAS, it is critical that we ensure the safety and health of our County population; and

WHEREAS, the Emergency Services Director, in consultation with the County Health Officer and with the support of the seven cities within San Luis Obispo County, deems the following immediate actions are necessary to mitigate the spread of COVID-19;

NOW, THEREFORE, it is ordered as follows:

1. **This order is effective as of Thursday, March 19, 2020, at 5:00 p.m. and shall continue in effect until April 17, 2020 at 12:01 p.m., unless modified or rescinded. It shall be reviewed every 14 days to determine the need to continue this order.**
2. The intent of this order is to ensure that the greatest number of people remain in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 as much as possible. When people need to leave their 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 should at all times, as reasonably possible, comply with Social Distancing Requirements as defined in Section 11, below. All provisions of this order should be interpreted to effectuate this intent. Failure to comply with any of the provisions of this order constitutes an imminent threat to public health.
3. All individuals currently living within San Luis Obispo County (the “County”) are ordered to remain at their place of residence. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain social distancing of at least six feet from any other person when they are outside their residence. Social Distancing Requirements are waived for all household members. All persons may leave their residences only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 11 of this order. Individuals experiencing homelessness are exempt from this Section 2, but are strongly urged to obtain shelter, 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. All businesses with a facility in the County, except Essential Businesses as defined in Section 11 of this order, are required to cease all activities at facilities located within the County except Minimum Basic Operations, as defined in Section 11. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined in Section 11 of this order, including, but not limited to, when any customers are standing in line.
5. 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. Nothing in this order prohibits the gathering of members of a household or living unit.
6. All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, except Essential Travel and Essential Activities as defined in Section 11, is prohibited. People must use public transit only for purposes

of performing Essential Activities or to travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions. 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 to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions.

7. This order is issued based on evidence of increasing occurrence of COVID-19 within the County and throughout the State of California, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and 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. 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 unrecognized infection 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, gatherings 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**. One proven way to slow the transmission is to limit interactions among people to the greatest extent practicable. By reducing the spread of the COVID-19 virus, this order helps preserve critical and limited healthcare capacity in the County.
8. This order is also issued in light of the existence of 7 identified cases of COVID-19 within the County, as well as at least 598 confirmed cases and 13 deaths in California, as of March 17, 2020, at 6:00 p.m. P.S.T. In addition, there have been a significant and increasing number of suspected cases of community transmission and this is likely to continue. Widespread testing for COVID-19 is not yet available but is expected to increase in the coming days. This order is necessary to slow the rate of spread and the County Health Officer 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 March 13, 2020 Proclamation by the Director of Emergency Services Declaring the Existence of a Local Emergency in the County, the March 13, 2020 Declaration of Local Health Emergency Regarding Novel Coronavirus (COVID-19) issued by the Health Officer, the March 17, 2020 Resolution of the Board of Supervisors of the County of San Luis Obispo Ratifying the Declaration of a Local Health Emergency, and the March 17, 2020 Resolution of the Board of Supervisors of the County of San Luis Obispo Ratifying the Declaration of a Local Health Emergency.

10. This order follows 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 County 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. The following definitions and exemptions apply to this order:

- a. “Social Distancing” means the practice of maintaining a physical distance of six feet or greater from other people or of avoiding direct contact with people or objects in public places during the outbreak of a contagious disease in order to minimize exposure and reduce the transmission of infection.
- b. For purposes of this order, individuals may leave their residence only 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 urged to stay in their residence to the extent possible except as necessary to seek medical care.
 - (1) 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 healthcare professional, or obtaining supplies they need to work from home.
 - (2) 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.
 - (3) To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example and without limitation, walking, hiking, running, bicycling, swimming or camping (household members only).
 - (4) To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
 - (5) To care for a family member or pet in another household.

c. For purposes of this order, individuals may leave their residence to work for or obtain services at any “Healthcare Operations” including hospitals, clinics, dentists, pharmacies, pharmaceutical, biotechnology companies, and blood bank services, other healthcare facilities, healthcare suppliers, home healthcare services providers, behavioral health providers, or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. “Healthcare Operations” does not include fitness and exercise gyms and similar facilities.

(1) For purposes of this order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of “Essential Infrastructure,” including, but not limited to, public works construction, construction of housing (in particular affordable housing or housing for individuals experiencing homelessness), airport operations, water, sewer, gas, electrical, oil refining, energy production, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.

(2) For purposes of this order, all first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement personnel, and certain public health personnel, and others who need to perform essential services are categorically exempt from this order. Further, 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 or contractors to continue providing and carrying out any Essential Governmental Functions. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined in this Section, to the extent possible.

(3) For the purposes of this order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.

(4) For the purposes of this order, “Essential Businesses” means:

(a) Healthcare Operations and Essential Infrastructure;

(b) Grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments

engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;

- (c) Food cultivation, including farming, livestock, and fishing;
- (d) Businesses that provide food, shelter (including hotels, motels, and similar establishments) social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- (e) Newspapers, television, radio, and other media services;
- (f) Gas stations and auto-supply, auto-repair, and related facilities;
- (g) Banks and related financial institutions;
- (h) Hardware stores;
- (i) Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses:
- (j) Businesses providing mailing and shipping services, including post office boxes;
- (k) Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, and governmental continuity, provided that Social Distancing Requirements as defined in this Section, to the extent possible;
- (l) Laundromats, drycleaners, and laundry service providers;
- (m) Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;

- (n) Businesses that supply products needed for people to work from home;
- (o) Businesses that supply other essential businesses with the support or supplies necessary to operate;
- (p) Businesses that ship or deliver groceries, food, goods or services directly to residences;
- (q) Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this order;
- (r) Home-based care for seniors, adults, or children;
- (s) Residential facilities and shelters for seniors, adults, and children;
- (t) Professional services, such as legal or accounting services, when necessary to assist in compliance with legally-mandated activities;
- (u) Childcare facilities providing services that enable employees exempted in this order to work as permitted;
- (v) Businesses engaged in any form of cultivation of products for personal consumption or use, including farming, ranching, livestock, fishing, dairies, creameries, wineries, breweries, and associated activities, including, but not limited to, activities or businesses associated with planting, growing, harvesting, processing, cooling, storing, packaging, and transporting such products, or the wholesale or retail sale of such products, but prohibiting public consumption on premises and provided that, to the extent possible, such businesses comply with Social Distancing Requirements and otherwise provide for the health and safety of their employees;
- (w) On-going commercial construction (meaning commercial construction that actually commenced, and was not just permitted, prior to the effective date of this order), provided that such activity implements Social Distancing Requirements to the extent feasible and otherwise provides for the health and safety of their employees.

12. For businesses subject to environmental health regulations, inspections of such business facilities will continue to ensure compliance with this order and other applicable regulations.

13. This order shall remain in effect until rescinded or modified in consultation with and at the recommendation of the County Health Officer.

A copy of this order and regulation shall be posted on all outside public access doors of the new County Government Center of the County of San Luis Obispo and in one public place within any area of the County within which this order and regulation applies, and personnel of the County of San Luis Obispo shall endeavor to make copies of this order and regulation available to the news media.

Date: 18 MAR 2020


Emergency Services Director

Time: 1830