



**ORDER OF THE BI-COUNTY PUBLIC HEALTH OFFICER FOR SUTTER AND YUBA COUNTIES**



**AMENDMENT 20-003 MODIFYING THE MAY 4, 2020 PUBLIC HEALTH ORDER TO CLARIFY REOPENING OF EXPANDED PERSONAL CARE SERVICES WITH MODIFICATIONS**

Date of Amendment: June 18, 2020	<b>By the authority of Dr. Phuong Luu Yuba-Sutter Health Officer</b>
Effective: 12:01 a.m. on June 19, 2020	

Please read this Order carefully. This Order issued by the Bi-County Public Health Officer shall become effective at 12:01 a.m. June 19, 2020. Except as modified herein, all current Orders of the Bi-County Public Health Officer shall remain in full force or effect. Any and all prior violations of the previous orders remain prosecutable, criminally or civilly. Pursuant to Health and Safety Code section 120295 et seq., California Penal Code sections 69 and 148(a)(1), California Government Code section 8665, violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both.

**Please be further advised that notwithstanding anything to the contrary contained herein, all persons in the State of California are required to comply with the Executive Orders of the Governor and the Orders of the State Public Health Officer.**

PURSUANT TO SECTIONS 101040, 101085 AND 120175 OF THE HEALTH AND SAFETY CODE, THE BI-COUNTY PUBLIC HEALTH OFFICER FOR SUTTER AND YUBA COUNTIES HEREBY ORDERS AS FOLLOWS:

**Purpose:** To modify the existing Order of the Public Health Officer dated May 4, 2020 to allow the operation of multiple sectors as enumerated below in Scope of Amendment to reopen with appropriate modifications.

**Background:** On March 19, 2020, the Governor and the State Public Health Officer issued an order directing all individuals living in the State of California to stay at home except as needed to facilitate authorized, necessary activities or to maintain the continuity of operations of critical infrastructure sectors.

The Johns Hopkins Center for Health Security has provided a tabulation of categories of businesses based on low, medium, and high risk of contact intensity, number of contacts, and modification potential. ([www.centerforhealthsecurity.org/our-work/pubs\\_archive/pubs-pdfs/2020/200417-reopening-guidance-governors.pdf](http://www.centerforhealthsecurity.org/our-work/pubs_archive/pubs-pdfs/2020/200417-reopening-guidance-governors.pdf) ).

On May 8, 2020, the State Public Health Officer issued an order to reintroduce activities and sectors in a phased manner and with necessary modifications, in order to protect public health and result in a lower risk for COVID-19 transmission and outbreak in a community.

On May 23, 2020, the Centers for Disease Control and Prevention issued interim guidance for Communities of Faith. ([www.cdc.gov/coronavirus/2019-ncov/community/faith-based.html](http://www.cdc.gov/coronavirus/2019-ncov/community/faith-based.html)).

On May 25, 2020, the California Department of Public Health (CDPH) issued guidance for Places of Worship and Providers of Religious Services and Cultural Ceremonies.

On May 26, 2020, CDPH issued guidance for Hair Salons and Barbershops.

On May 29, 2020 Amendment 20-001 Modifying the May 4, 2020 Public Health Order was issued by the Bi-County Public Health Officer providing for the opening of (1) Places of Worship and Providers of Religious Services and Cultural Ceremonies and (2) Hair Salons and Barbershops.

On June 5, 2020, CDPH issued guidance for multiple sectors in Phase 3 to reopen with appropriate modifications. These include interim statewide guidance for K-12 schools, updated guidance for childcare, guidance for day camps, guidance for music, film, and television production, guidance for professional sports without live audiences, and guidance for casinos operated by sovereign tribal nations.

In addition, CDPH also issued guidance for counties with attestations (both Yuba County and Sutter County are within this group) to allow for the re-opening with appropriate modifications the following sectors: campgrounds, RV parks, and outdoor recreation; hotels for tourism; cardrooms, satellite wagering facilities and racetracks; family entertainment centers; restaurants, bars, wineries; fitness facilities; and museums, galleries, zoos, and aquariums.

On June 12, 2020, CDPH issued guidance on expanded personal care services including for nail salons, body art professionals, tattoo parlors, piercing shops, and massage therapy.

All guidance for the above sectors are available at <https://covid19.ca.gov/industry-guidance/#top>.

Moreover, on June 12, 2020, CDPH issued guidance allowing the cap for attendance at faith-based gatherings and protests outdoors to be lifted, though still with strict physical distancing at a minimum of six feet between attendees from different households. The 100 persons or 25% of capacity, whichever is less, remains in effect for indoor faith-based and protest gatherings.

**What is Known:** COVID-19 continues to be a threat and danger to the Yuba-Sutter region. As more and more sectors are allowed to reopen in the Yuba-Sutter region, it is imperative that each individual, each business, each sector of the community take it upon themselves the responsibility to adhere to the key tenets of non-

pharmacologic interventions (NPIs) to continue to combat COVID-19. The NPIs include social distancing of six feet or more from non-household members, facial coverings when out in public and social distancing not possible, washing or sanitizing hands frequently, and staying home when ill with symptoms concerning for COVID-19.

**Scope of Amendment:** The Yuba-Sutter Bi-County Health Officer has carefully reviewed the industry guidance issued by the California Department of Public Health (CDPH) on June 12, 2020 for expanded personal care sectors including nail salons, body art professionals, tattoo parlors, piercing shops, massage therapy, estheticians, skin care, and cosmetology services.

All of these services have been allowed since the May 4, 2020 Local Public Health Order. However, in light of the recent CDPH's state issued guidance, the expanded personal care service businesses shall carefully review and follow the state issued guidance.

In addition to the industry guidance issued by CDPH, the following requirements are applicable to all businesses allowed to reopen by virtue of this Amendment:

Each of the business sectors must carefully review and implement the specific industry guidance set forth by the California Department of Public Health (CDPH) for their sector. In addition, given that all of the above sectors are **Higher Risk** businesses, they must also prepare an industry generated COVID-19 infection prevention and control checklist and if their industry does not have one, then they shall use the local COVID-19 Operations Protocol, attached hereto as Appendix A, for each of their facilities in the County frequented by the public or employees.

In addition, below are specific Yuba-Sutter requirements in addition to the ones enumerated in the industry specific guidance issued by CDPH.

### **Expanded Personal Care Services**

The industry guidance for expanded personal care services applies to nail salons, body art professionals, tattoo parlors, piercing shops, massage therapy, estheticians, skin care, and cosmetology services. The guidance can be found at: <https://covid19.ca.gov/pdf/expanded-personal-services.pdf>.

Symptoms screening and temperature checks shall be done prior to shift/start of work day. Self-symptoms and temperature check at home are **not** sufficient. In addition, all customers must be screened via symptoms assessment **and** temperature checks at time of arrival for service.

As much as possible, limit close face-to-face exposure especially in the absence of facial covering use.

## **Faith-Based Gatherings and Protests**

We are seeing an alarming trend of individuals proceeding to attend large social gatherings even while having symptoms concerning for COVID-19. These cases have led to exhaustive contact investigations, even with the numbers being relatively low at 15-40 persons per gatherings. Therefore, it is prudent to remain conservative in regards to all types of large gatherings, and continue to limit the numbers of faith-based and protest gatherings even outdoors to no more than 100 persons at this time.

**Compliance.** The violation of any provision of this Amendment constitutes a threat to public health and a public nuisance per se. Pursuant to Health and Safety Code sections 101040 and 120175, Civil Code section 3494 and Code of Civil Procedure section 731, the Health Officer or any other authorized County of Sutter or Yuba official may enforce any violation of this Amendment and abate the public nuisance by obtaining injunctive relief from a court of competent jurisdiction. In addition, 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 Amendment.

### **Effective**

**time.** This Amendment shall become effective and operative at 12:01 a.m. on June 19, 2020, and will continue until it is rescinded, superseded or amended in writing by the Health Officer.

**Continuing assessment.** The Health Officer will continue to assess the quickly evolving situation and may issue additional orders or amendments related to COVID-19 and will review and amend this Order as needed to address mitigating the impacts of COVID-19.

**Copies of Amendment.** Copies of this Amendment shall promptly be made available at [www.yuba.org/coronavirus](http://www.yuba.org/coronavirus) and [www.suttercounty.org/doc/government/depts/cao/em/coronavirus](http://www.suttercounty.org/doc/government/depts/cao/em/coronavirus) and provided to any member of the public requesting a copy of this Order.

**Severability.** If any provision of this Amendment or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, 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 Amendment are severable.

IT IS SO ORDERED:

Phuong Luu, MD, MHS, FACP

Bi-County Public Health Officer for the Counties of Sutter and Yuba

**Attachment**

Appendix A: COVID-19 Operations Protocol