

STAY WELL AT HOME

ORDER OF THE VENTURA COUNTY HEALTH OFFICER

ORDER EXTENDING THE HEALTH OFFICER'S ORDER DATED MARCH 17, 2020, AND IMPOSING ADDITIONAL LIMITATIONS ON ACTIVITIES AND BUSINESSES

DATE OF ORDER: MARCH 31, 2020

Please read this Order carefully. This Order extends the expiration date of the Health Officer's March 17, 2020, Order to April 19, 2020, and imposes additional limitations on the activities of persons and entities. The Health Officer's March 20, 2020, Order remains in place, except where inconsistent with more restrictive limitations set out in this Order.

Pursuant to Health and Safety Code section 120295 et seq., violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both.

PURSUANT TO SECTIONS 101040, 101085 AND 120175 OF THE HEALTH AND SAFETY CODE, THE HEALTH OFFICER OF VENTURA COUNTY HEREBY ORDERS AS FOLLOWS:

1. Intent. The intent of this Order is to (a) extend the duration of the Health Officer's Order dated March 17, 2020, to April 19, 2020; (b) keep the Health Officer's March 20, 2020, Order in place except that any more restrictive limitations in this Order shall control; (c) impose new and additional limitations on the activities of persons and entities that are more restrictive than the existing orders; and (d) clarify that a violation of the Health Officer's Orders by a business may subject the business to liability under the state's unfair competition law as well as other civil and criminal penalties.

The main intent of all Orders, including this Order, is to limit the spread of COVID-19 to the maximum extent possible by keeping all persons in their places of residence to the maximum extent possible. Failure to comply with any of the provisions of these Orders constitutes an imminent threat to public health.


2. March 17, 2020, and March 20, 2020, Orders. This Order supplements and extends the Orders dated March 17, 2020, and March 20, 2020, both of which shall remain in full force and effect, except where inconsistent with more restrictive limitations set out in this Order, for the duration of this Order.
3. Procedures for take-out restaurants and entities. Licensed, permanent food facilities that have been allowed under the current Orders to prepare and offer food via delivery service, pick-up or drive-thru must comply with the following procedures:

- a. Containers required. All food must be completely contained in a suitable container before being transferred to a customer. For example, ice cream cones are not allowed; ice cream scoops in a covered container are allowed.
 - b. Must consume food away from premises. The exception for take-out food activities is designed to enable persons who are confined to their places of residence to obtain prepared food to take back to their places of residence for consumption. The take-out food shall not be consumed anywhere within the line-of-sight of a person standing in front of the facility that sold the food.
 - c. Six-foot spacing must be maintained. All persons waiting in line or otherwise congregating outside a food facility selling food via take-out, delivery or drive-thru shall maintain a distance of at least six feet from all other persons. Current Orders already require that all persons inside the facility must maintain a distance of at least six feet from other persons.
4. Essential Businesses must limit activities to essential goods and services. The March 20, 2020, Order required all businesses, except Essential Businesses, to close. The primary purpose for this exception is to provide support for persons required to stay at home or work from home. In some cases, business types were deemed essential because they supported the maintenance of Essential Infrastructure, Essential Governmental Functions or Services, or Healthcare Operations. However, it is determined that the activities of businesses deemed to be Essential Businesses should be limited to the provision of those goods and services essential to the overall intent of the Health Officer's Orders.
Therefore:
 - a. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, convenience stores and other establishments that sell food, beverages, pet supplies or household products (such as cleaning and personal care products) necessary to the safe, sanitary and essential operation of places of residence, that are open to the public, shall not sell any goods other than those described in this subsection (a). The sale of items not listed herein, such as clothing, jewelry, sporting goods, furniture, etc., is prohibited.
 - b. Only businesses whose primary business is the sale of food, beverages, pet supplies or household products (such as cleaning and personal care products) qualify as an Essential Business under subdivision (a) above. For example, a tobacco or vape store that sells a minimal amount of snacks and water as a side business does not qualify as a grocery store, convenience store or similar establishment. Items, the sale of which constitutes less than 33 percent of a business's gross sales over the last six months, are deemed to be minimal.
 - c. Automobile dealerships may remain open only to operate repair shops and/or auto parts supply stores. Showroom facilities shall be closed, and on-premise sales activities shall cease.
5. Swimming pools and hot tubs to close. The following facilities shall be closed to all persons: All swimming pools, spas, hot tubs, saunas, steam rooms and similar facilities, except those located at a single-family residence, which shall be used only by members of the household residing at the single-family residence.

6. Campgrounds and RV parks to close. All public and private campgrounds and recreational vehicle (RV) parks are to close, except that persons who certify that their RV is their primary residence may be permitted to stay in the RV park. All persons residing in an RV shall comply with all Orders otherwise applicable to residents.
7. Admittance to long-term care facilities. Long-Term Care Facilities may not refuse to admit any person who has been diagnosed with or treated for COVID-19 after that person has been discharged from a health care facility and approved for admittance to a Long-Term Care Facility by the Ventura County Public Health Department.
 - a. For purposes of this section, “Long-Term Care Facility” means a long-term care facility, skilled nursing facility, intermediate care facility, congregate living health facility, nursing facility, hospice facility, residential care facility for the elderly, residential facility, or community care facility as defined in Health and Safety Code sections 1250, 1502, 1503.5 and 1569, and regulations promulgated thereunder, as they may be amended from time to time.
8. Door-to-door solicitations must cease. Door-to-door solicitations, whether for purposes of sales of goods or services, charitable contributions, signature-gathering or any other commercial or noncommercial purpose, do not constitute Essential Activities or Essential Businesses pursuant to the Order dated March 20, 2020, and, if currently occurring, are occurring in violation of that Order and shall immediately cease.
9. Retail food and beverage facilities. The Public Health Officer recognizes the authority of the Ventura County Environmental Health Division as stated in “Coronavirus COVID-19 Guidance for Food Facilities,” and strongly advises all food and beverage facilities to comply with the guidance.
10. Definition of businesses. The terms “business” and “businesses” as used in this Order and the Orders dated March 17, 2020, and March 20, 2020, include any for-profit, non-profit or educational entities (including sole proprietorships, corporations, firms, partnerships, limited liability companies, joint stock companies, associations and other organizations of persons), regardless of the nature of their services or the functions they perform.
11. Violation may constitute unfair competition. Any person that, after notice, operates, manages, maintains or occupies, or continues to operate, manage, maintain or occupy, any business in violation of this Order, the Order dated March 17, 2020, or the Order dated March 20, 2020, may, in addition or in the alternative to any other civil and criminal penalties allowed by law, be subject to liability under the Unfair Competition Law (chapter 5 of part 2 of division 7 of the Business and Professions Code, commencing at section 17200), and subject to civil penalties and other relief as provided therein, for each act or practice in violation of the Orders, or any of them.

12. Compliance. The violation of any provision of this Order constitutes a threat to public health. 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.
13. Effective date and time. This Order shall become effective and operative at 11:59 p.m. on March 31, 2020, and will continue to be in effect until 11:59 p.m. on April 19, 2020, or until it is extended, rescinded, superseded or amended in writing by the Health Officer.
14. Continuing assessment. The Health Officer will continue to assess the quickly evolving situation regarding the spread of COVID-19, may issue additional orders related to COVID-19 and will review this Order within two weeks of its effective date.
15. Copies of Order. Copies of this Order shall promptly be: (1) made available at the County of Ventura Public Health Office, 2240 East Gonzalez Road, Suite 210, Oxnard, California, 93036; (2) posted on the County Public Health Department website (available at www.vchca.org/ph); and (3) provided to any member of the public requesting a copy of this Order.
16. Severability. If any provision of this Order 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 Order are severable.

IT IS SO ORDERED:



Robert Levin, M.D.
Ventura County Health Officer

Dated: March 31, 2020