



## MONO COUNTY HEALTH DEPARTMENT

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### ORDER OF THE LOCAL HEALTH OFFICER

#### Guidance for Safer Outdoor Dining During the COVID-19 Pandemic

This order establishes standards for outdoor dining at restaurants in Mono County including the Town of Mammoth Lakes during the pandemic emergency.

**WHEREAS**, on March 4, 2020, California's Governor declared a state of emergency in response to the COVID-19 pandemic, and on March 17, 2020, Mono County declared a state of local emergency, both declarations remain in effect; and

**WHEREAS**, in response to the COVID-19 pandemic, state and local governments have enacted a variety of measures to protect the public and reduce the virus' spread; and

**WHEREAS**, Mono County is in the most restrictive Purple Tier of the California Blueprint for a Safer Economy due to continued high local rates of pandemic virus transmission; and

**WHEREAS**, in the Purple Tier outdoor dining at restaurants is permitted while indoor dining is prohibited. The risk of pandemic virus transmission is much higher indoors than out, but the risk outdoors is not zero and dining together increases risk because face coverings are removed to eat and drink and people are fairly close together for significant periods of time. The prohibition on outdoor dining during the period of the recent Regional Stay At Home order is credited by many epidemiologists with having decreased transmission in our region; and

**NOW, THEREFORE**, under the authority of California Health and Safety Code sections 101040, 101085, 120175 and 120175.5 and Title 17 California Code of Regulations, Section 2501, in addition to existing guidance the Mono County Health Officer **HEREBY ORDERS** as follows:

- Effective immediately, restaurants, including coffee shops and breweries that serve food, shall limit outdoor seating to a maximum of 6 persons from a single household per table

- Exceptions can be made for occasional large families so that children do not have to be separated from parents while eating
- Staff shall counsel customers that groups at a table must be comprised of persons from the same household (live together).
- Tables shall be spaced such that a minimum of 8 feet separate diners at each different table.
- Restaurants shall encourage diners to don face coverings when wait staff approach the table. Wait staff shall be allowed to require diners to don face coverings before approaching a table.
- State guidance defining outdoor dining (area must be open on at least two non-contiguous sides) remains in effect.
- This order shall be in effect until rescinded or until the State and Local Health Emergencies are declared to be over.

### General Provisions

1. This Order is issued based on evidence of transmission of COVID-19, scientific evidence regarding the most effective approach to slow transmission of communicable diseases generally and COVID-19 specifically, as well as best practices as currently known and available to protect the public from the risk of spread of or exposure to COVID-19.

2. This Order is intended to reduce the likelihood of exposure to COVID-19, by incorporating and referencing Guidelines approved by the State of California, thereby slowing the spread of COVID-19.

3. This Order is issued in accordance with, and incorporates by reference, the: March 4, 2020 Proclamation of a State Emergency issued by Governor Gavin Newsom; the March 15, 2020 Declaration of Local Health Emergency based on an imminent and proximate threat to public health from the introduction of novel COVID-19 in Mono County; the March 17, 2020 Resolution of the Board of Supervisors of the County of Mono proclaiming the existence of a Local Emergency in the County of Mono regarding COVID-19 and ratifying and extending the Declaration of Local Health Emergency due to COVID-19; Governor Newsom's Executive Order N-33-20 of March 19, 2020 ordering all persons to stay at home, except as otherwise authorized, to protect the health and well-being of all Californians and to establish consistency across the state in order to slow the spread of COVID-19; the State of California's Resilience Roadmap, and all Guidance related thereto; Mono County's "Interim Guidelines for Businesses During the COVID-19 Pandemic"; "Mono County Health Officer Order Requiring the Wearing of Face Coverings" issued April 30, 2020; the Mono County Business Portal at <https://webapps.mono.ca.gov/covid19-business-reopening/>; and the June 11, 2020 Mono County Health Officer Order Requiring Compliance with Business Guidelines."

4. This Order is made in accordance with all applicable State and Federal laws, including but not limited to: Health and Safety Code sections 101030, et seq.; Health and

Safety Code sections 120100, et seq.; and Title 17 of the California Code of Regulations section 2501.

5. This Order is made because of the propensity of the virus to spread person-to-person and also because the virus is causing physical property loss or damage due to its proclivity to attach to surfaces for prolonged periods of time.

6. Violation of this Order is a misdemeanor, punishable by fine of up to \$1000, imprisonment for up to 90 days, or both, pursuant to Health and Safety Code section 120295 and Government Code section 8665.

7. Copies of this Order shall be promptly posted on the County of Mono's Public Health Department's website (monohealth.com). This Order shall additionally be provided to any member of the public upon request.

**IT IS SO ORDERED:**

Thomas Boo, MD  
Thomas Boo, MD  
Local Health Officer  
For Mono County  
and the Town of Mammoth Lakes

Date February 5, 2021