



Town of Mammoth Lakes

Town Manager's Office

Emergency Services Director

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January 31, 2021

This Order replaces the November 17, 2020 Town of Mammoth Lakes short-term lodging Order within the Town of Mammoth Lakes. It is effective February 1, 2021 and will remain in effect until April 30, 2021, unless rescinded, modified, or extended.

Preamble

On March 18, 2020, the Mammoth Lakes Town Council adopted a declaration of a local emergency for the Town in response to COVID-19 and the emergency declarations approved by Mono County and the State of California. The Town's declaration recognized the economic impacts that the Town may experience due to COVID-19. That declaration of emergency gave the Town Manager broad authority to act as the Town's emergency services director, as set forth in Chapter 2.48 of the Town's Municipal Code. During the existence of the local emergency the powers, functions, and duties of the emergency services organization of the Town of Mammoth Lakes shall be those prescribed by law, by ordinances and resolutions of the Town including without limitation Chapter 2.48 of the Mammoth Lakes Municipal Code, and by the Town of Mammoth Lakes Emergency Operations Plan. This includes the authority to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by a condition declared in a local emergency.

In addition to the duties set forth in Section 2.48.070 of the Mammoth Lakes Municipal Code regarding emergency powers, the Town's emergency declaration directs the Town Manager to develop, consider and implement strategies for assisting the community to mitigate the economic impacts of the continuing emergency.

WHEREAS, Town Council on March 18, 2020 declared a local state of emergency pursuant to its authority under the California Emergency Services Act (Article 14 of Title 2, Division 1, Chapter 7 of the California Government Code, commencing with section 8630) and has continued such declaration at each regular meeting of the Town Council since being declared; and,

WHEREAS, a declaration of emergency was issued by the Governor of the State of California on March 4, 2020, and local emergencies have been declared in both Mono County and in the Town of Mammoth Lakes in response to the virus COVID-19; and

WHEREAS, travel facilitates the spread of communicable disease, the California Department of Public Health discourages non-essential travel, and Governor Newsom's Executive Order N-33-20 limits travel for non-essential purposes; and

WHEREAS, CDPH guidance updated on January 6, 2021 advises, “Avoiding travel reduces the risk of virus transmission, including by reducing the risk that new sources of infection and, potentially, new virus strains will be introduced to California.”^{1 2}; and

WHEREAS, the updated December 2, 2020, advisory from the U.S. Centers for Disease Control (CDC) states that “Travel can increase your chance of spreading and getting COVID-19. Postponing travel and staying home is the best way to protect yourself and others from COVID-19.”³

WHEREAS, CDPH guidance update on November 13, 2020 provides for limits on gatherings in addition to the Mono County Public Health Order further limiting gatherings to not more than twelve (12) people from three (3) different households⁴; and

WHEREAS, the Town of Mammoth Lakes is a popular year-round travel destination, with short-term lodging facilities such as hotels and vacation rentals making up a significant portion of the Town’s economic and commercial base and employing many Town and region residents; and

WHEREAS, during periods of high visitation, the Town’s population may increase by more than 20,000 people in a single day causing a significant reduction in services, and publicly accessible facilities quickly become crowded (if not overwhelmed). Visitors from dispersed locations come into close contact with each other and with residents and workers, creating an increased risk of virus transmission. To avoid these conditions and minimize the spread of COVID-19, it is necessary to impose a limit on lodging occupancy and implement a 24-hour vacancy period between occupancies within Mammoth Lakes; and

WHEREAS, the State Public Health Officer has developed a risk-based tier system of business, social and worship activity known as the “Blueprint for a Safer Economy” (Blueprint). Under the Blueprint, the level of activity authorized depends upon indicators of COVID-19 infection in a local health jurisdiction and the jurisdiction’s corresponding tier assignment; and

WHEREAS, on January 25, 2021, Mono County was assigned to the most restrictive tier of the Blueprint (widespread levels of virus transmission – the “purple tier”) following the South California Region being removed from the Regional Stay-at-Home Order due to the level of virus transmission occurring primarily within the Town of Mammoth Lakes and total COVID-19 case rates; and

¹ <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Travel-Advisory.aspx>

² [Travel - Coronavirus COVID-19 Response \(ca.gov\)](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Travel-Advisory.aspx)

³ <https://www.cdc.gov/coronavirus/2019-ncov/travelers/travel-during-covid19.html>

⁴ <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Guidance-for-the-Prevention-of-COVID-19-Transmission-for-Gatherings-November-2020.aspx>;
<https://coronavirus.monocounty.ca.gov/pages/directives>

WHEREAS, there is limited critical healthcare infrastructure, including hospital beds, ventilators and workers, within the Town of Mammoth Lakes and nearby communities capable of adequately treating mass numbers of patients at a single time from local incidents and should the virus spread unchecked within Mammoth Lakes; and

WHEREAS, significant visitation to Mammoth Lakes is anticipated for February, March and April 2021; and

WHEREAS, the number of COVID-19 cases within Mammoth Lakes increased dramatically immediately following the 2020 and 2021 holiday period from Thanksgiving through New Year's, comprising the most significant spike in Mono County since the start of the pandemic in early 2020; and

WHEREAS, Mono County operated under the State Regional Stay-at-Home Order from December 6, 2020 through January 25, 2021 which restricted a number of business activities including limiting lodging to travelers engaged in essential services; and

WHEREAS, previous and existing positive COVID cases and the positivity rates in Mono County, with substantial numbers in the Town of Mammoth Lakes, continue to be some of the highest rates in the State; and

WHEREAS, State guidelines contained in the Blueprint for a Safer Economy (Blueprint) allow for the imposition of stricter limits on activities to address specific local conditions⁵; and

WHEREAS, the staff of the Unified Command Emergency Operations Center, representing various government entities in Mono County responsible for dealing with the COVID-19 emergency, support the implementation of rules and regulations placing stricter limits on lodging activities within the Town of Mammoth Lakes as a reasonable means to slow the transmission of COVID-19, to reduce potential impacts on local medical facilities, and to protect the public health and welfare of the residents and visitors of the Town of Mammoth Lakes.

NOW, THEREFORE, under the authority of Town of Mammoth Lakes Municipal Code Chapter 2.48, the Town Manager serving as the Town's designated Emergency Services Director **HEREBY MAKES THE FOLLOWING ORDERS**, which shall be applicable **within the incorporated Town of Mammoth Lakes and effective February 1, 2021:**

1. Short-term lodging facilities (including, but not limited to, hotels, motels, condo/hotels, short-term or vacation rentals such as those rented through Airbnb or similar rental platforms, timeshares, bed and breakfast establishments, cabins, RV parks, campgrounds and other similar units) shall comply with the following:

⁵ <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/COVID19CountyMonitoringOverview.aspx>

- a. All bedding, linens, towels, and similar items shall be laundered between each occupancy without exception.
 - b. All kitchen supplies, food preparation areas and common areas shall be washed/thoroughly sanitized between each occupancy without exception.
 - c. Units/Rooms (“Units”) shall be left vacant for a minimum period of 24 hours between occupancies, including without limitation occupancies by owners (provided that separate occupancies by owners without occupancy by any other person in between shall be deemed a single occupancy), except for housekeeping staff with personal protective equipment (PPE) that includes masks, and gloves and eye protection if requested and disposable gowns or similar reusable coverings that are laundered after each work shift.
2. All short-term lodging properties shall be managed to achieve a maximum 70% daily occupancy level for occupancies of 30 days or less. The occupancy level is to be achieved by implementation of the following:
- a. Hotels, Motels, Condo-Hotels and properties managed by management companies operating 10 or more privately owned properties are limited to a 70% occupancy on a daily basis. Each such management company shall limit the aggregate occupancy of the units or properties it manages to 70% each day. These restrictions do not include stays by the owner of an individual unit (restrictions apply to all other guests using the unit).
 - b. Occupancy for properties owned or managed by owners or operators with less than 10 privately owned properties is limited to 21 rental days per unit per month. In order to reduce weekend visitation, the 21 rental days per month shall not exceed 3 weekends per calendar month. Each such property shall remain vacant for at least one weekend per month; a weekend includes both a Friday and Saturday night. These restrictions do not include stays by the owner of the individual unit (restrictions apply to all other guests using the unit).
 - c. Occupancy of units in a private residence club is limited as follows: (i) the 70% occupancy limit in paragraph 2.a above applies; (ii) occupancy is restricted to owners only; (iii) a 48-hour vacancy is required between stays; and (iv) hot tubs shall remain closed.
3. The requirements in this Order are implemented both to disperse visitation to Mammoth Lakes over a longer period of time thereby avoiding overcrowding and visitor concentration during “peak” visitation periods, and to achieve a vacancy period between occupancies that allows for housekeeping staff to thoroughly and safely clean rooms between occupancies and minimize exposure.

4. The following uses of short-term rental properties shall not be deemed occupancy for purposes of calculating occupancy restrictions pursuant to this Order, and any unit or room used for such purposes shall instead be counted as a vacant unit or room:
 - a. A unit used for the purpose of housing an employee working in Mono County;
 - b. A unit used for the isolation or quarantine of a person (s) required by Mono County Public Health or the California Department of Public Health;
 - c. A unit used for the housing of person(s) placed by a social services or law enforcement agency; and
 - d. A person(s) displaced from their place of residence due to a natural disaster.
 - e. Any unit used for any of the preceding purposes is required to be vacant for at least 24 hours between occupancies.
5. The “COVID-19 Industry Guidance: Hotels, Lodging and Short-Term Rentals” released by the State of California on June 5, and updated on July 29, 2020 and again on January 25, 2021, (“State Guidance”) and related guidelines issued by Mono County Public Health, as those documents may be amended or updated, remain in effect and are applicable statewide and countywide, respectively. In the case of conflict, the stricter of the State Guidance, or Local Guidance, or this Order shall prevail.⁶
6. Lodging operations are to follow state guidelines as follows or as such may be amended, “fitness centers must operate outdoors [remain closed indoors]. Outdoor hot tubs can open only for use by household groups or in cases where six feet of distancing can be maintained. Indoor pools, hot tubs, saunas, and steam rooms must remain closed”.
7. This order is effective Monday, February 1, 2021. The restrictions imposed by this Order will be reviewed as needed and shall remain in effect until April 30, 2021 unless modified, repealed, or extended.

General Provisions

1. This Order is issued because of the worldwide pandemic of COVID-19 disease, also known as “novel coronavirus”, SARS-CoV-2.
2. 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.
3. This Order is intended to reduce the likelihood of exposure to COVID-19, by referencing restrictions issued by the State of California and providing additional

⁶ [Guidance Documents \(ca.gov\)](#)

clarifications within the Town of Mammoth Lakes, thereby slowing the spread of COVID-19. As the presence of individuals increases, the difficulty and magnitude of tracing individuals who may have been exposed to a case rises exponentially.

4. his 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; the Town Council on March 18, 2020 declared local state of emergency by the Town Council.

5. This Order is made in accordance with all applicable State and Federal laws regarding the prevention and control of infectious diseases, as well as under the Town's authority under Article XI, Section 7 of the California Constitution to "make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws."

6. To the extent necessary, employees and officials of the Town of Mammoth Lakes shall ensure compliance with and enforcement of this Order. Violations of this Order constitute violations of Sections 2.48.090 and 2.48.120 of the Mammoth Lakes Municipal Code. Notwithstanding the designation of such violations as misdemeanors pursuant to Sections 2.48.090 and 2.48.130 of the Mammoth Lakes Municipal Code, the Town Manager acting as emergency services director hereby finds and determines that the flexibility is necessary in order to best enforce this Order, and so orders that any such violations may be treated either as infractions or misdemeanors pursuant to Section 1.12.010 of the Mammoth Lakes Municipal Code.

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

8. The Town shall request that a copy of this Order be promptly posted on the County of Mono's Public Health Department's website (monohealth.com), and this order shall be promptly posted on the Town's COVID-19 website.



Daniel C. Holler
Town Manager/Emergency Services Director
Town of Mammoth Lakes

Date 1-31-2021