



Town of Mammoth Lakes

Town Manager's Office

Emergency Services Director

437 Old Mammoth RD, Suite 230

P.O. Box 1609 Mammoth Lakes, CA 93546

Phone (760) 965-3601, Fax 934-7493

www.townofmammothlakes.ca.gov

November 17, 2020

This Order replaces the the August 11, 2020 Health Officer Order related to short-term lodging within the Town of Mammoth Lakes. It is effective November 17, 2020 and will remain in effect until April 30, 2021 unless, rescinded, modified, or extended.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 an 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 the 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,

WHEREAS, State Department of Public Health (CDPH) guidance updated on October 12, 2020, advises Californians to “avoid travelling long distances for vacations or pleasure as much as possible. This is to slow the spread of the coronavirus.”¹; and

WHEREAS, CDPH guidance updated on November 13, 2020 advises that “Californians are encouraged to stay home or in their region...Avoiding travel can reduce the risk of virus transmission...”²; and

WHEREAS, an October 6, 2020, advisory from the U.S. Centers for Disease Control (CDC) states that “[t]ravel increases your chance of getting and spreading COVID-19. **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 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, there is limited critical healthcare infrastructure, including hospital beds, ventilators and workers, within the Town of Mammoth Lakes and/or nearby communities capable of adequately treating mass numbers of patients at a single time – should the virus spread unchecked within Mammoth Lakes or Mono County; and

WHEREAS, significant visitation to Mammoth Lakes during the months of June, July, and August of 2020, brought individuals from throughout California and around the country into Mammoth Lakes’ relatively small geographic limits, concentrating travelers in a limited number of restaurants, hotels, grocery stores and other establishments and due to current increases in COVID-19 cases throughout California during the same time frames; and

WHEREAS, the number of COVID-19 cases within Mammoth Lakes increased dramatically immediately following this period of heavy visitation, the most significant spike in Mono County since the start of the pandemic in early 2020 being experienced in October and November; and

WHEREAS, on August 11, 2020, the Mono County Health Officer issued an Order imposing capacity limitations and mandatory vacancy periods on short-term lodging

¹ <https://covid19.ca.gov/stay-home-except-for-essential-needs/>

² <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>

operations within the Town and making many of the recommendations contained in the Department of Public Health's July 29, 2020, guidance for the hotel and lodging industry mandatory; and

WHEREAS, the Mono County Health Officer, County Chief Administrative Officer and the Town Manager, serving as Unified Commanders in the response to the COVID-19 Pandemic, concur with this order placing limitations on lodging properties in the Town of Mammoth Lakes as a means to reduce exposure to the COVID-19 virus while maintaining a sustainable level of economic activity, and

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

WHEREAS, the Emergency Operations Unified Command 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 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 November 17, 2020:**

1. Short-term lodging facilities (including, but not limited to, hotels, motels, condo/hotels, short-term or vacation rentals such as Air BnBs, timeshares, bed and breakfast establishments, private residence clubs, cabins, campgrounds and other similar units) shall comply with the following:
 - 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 shall be left vacant for a period of at least 6 hours between occupancies (except that 24 hours between occupancies shall be required as set forth in (f)(ii) below), and shall not be entered by guests or owners, except for housekeeping staff with high-level PPE, during that period. While 6 hours of vacancy is required, it is strongly recommended that all units/rooms be left vacant for 24 hours between occupancies.
 - i. Increasing evidence suggests that the risk of airborne transmission of the novel coronavirus is greater than was believed earlier in the

- pandemic. Therefore, each housekeeping staff member entering a room or unit within 6 hours of a guest's departure must use a N-95, KN-95, or N-100 respirator.
- ii. Eye protection for housekeeping staff is recommended but not required, as the respiratory tract would likely be the main portal of virus entry in the setting of an empty unit with virus suspended in the air (in respiratory aerosols from an infected departed guest). Face shields would not provide significant eye protection from airborne particles and thus goggles are recommended.
 - iii. When housekeeping staff enter a vacated unit or room they shall initially maximize ventilation of the space, exit, and allow at least 30 minutes to pass before returning to clean.
- d. Cleaning staff shall be provided with adequate personal protective equipment (PPE), including N95 (equivalent or higher rated) masks when appropriate (Section (c)(i), above) and gloves, as well as eye protection if requested, and shall wear such PPE at all times while cleaning. Disposable gowns are recommended, but similar reusable coverings may be used provided they are laundered after each shift.
- e. Information shall be provided to all owners and managers noting that only members of a single household/living unit are to stay in short-term lodging units/rooms.
- f. All short-term lodging properties shall be managed to achieve a minimum vacancy factor of thirty percent (30%) for all occupancies of 30 days or less. The vacancy factor is to be achieved by implementation of the following:
- i. Hotels and Condo/Hotels, and Private Residence Clubs within the Town of Mammoth Lakes shall restrict occupancy levels to 70% of capacity over a 7-day period extending from Monday through Sunday of each week, and are encouraged (but not required) to maximize the number of rooms/units that are left vacant for a 24-hour period between each occupancy. Cleaning requirements provided herein apply to these uses.
 - ii. For all other short-term rental properties, occupancy shall be managed to achieve at least a 30% vacancy rate calculated by calendar month, including providing a mandatory minimum vacancy period of 24 hours between all occupancies (includes owners and guests) and that a minimum of 9 days per month of vacancy is achieved. Monthly vacancy requirement of at least 9 days is effective starting December 1, 2020.
- g. 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.

- h. The Emergency Operations Center (EOC) has entered into contract(s) for the use of lodging facilities in Mammoth Lakes in order to house individuals directed to isolate or quarantine by Mono County Public Health, where those individuals have no alternative location. The use of a unit or room for such purposes shall be counted as a vacant room or unit for purposes of the capacity limitations set forth in subparagraphs (f)). Rooms used for this purpose are required to be vacant for at least 24 hours between occupancies.
 - i. A unit/room used for the purpose of housing an employee or owner beyond 30 days shall be counted as a vacant room or unit for purposes of the capacity limitations set forth in subparagraphs (f)). Rooms or units used for this purpose are required to be vacant for at least 24 hours between occupancies
2. “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, (“State Guidance”) and “Interim Guidelines for Lodging Facilities” and the “General Business Guidelines” issued by Mono County Public Health on June 12, 2020, (“Local Guidance”), as those documents may be amended or updated, remain in effect and are applicable statewide and countywide, respectively. Where the State Guidance uses permissive language (such as “should” or “consider”), such references shall be considered requirements and are hereby made mandatory within the Town of Mammoth Lakes, except that State Guidance recommending that portable high-efficiency air cleaners be installed, air filters be upgraded and other modifications be made to increase ventilation and State guidance recommending a vacancy period of between 24 and 72 hours shall remain recommendations and are not mandatory under this Order. In the case of conflict, the stricter of the State Guidance or the Local Guidance shall prevail.
 3. Indoor pool and indoor fitness areas may open, where authorized by State guidelines, and shall comply with all applicable requirements.
 4. Indoor and outdoor pools, hot tubs, saunas, jacuzzis, steam rooms, or similar facilities may open, where authorized by State guidelines, and shall comply with all applicable requirements.
 5. This order is effective Tuesday, November 17, 2020. 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”.

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

4. 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; the Town Council on March 18, 2020 declared local state of emergency by the Town Council, the guidance issued on March 11, 2020 by the California Department of Public Health regarding large gatherings, Local Public Health Order regarding gatherings; Governor Gavin Newsom’s Executive Order N-25-20 of March 12, 2020 preparing the State to commandeer hotels and other places of temporary residence, medical facilities, and other facilities that are suitable as places of temporary residence or medical facilities as necessary for quarantining, isolating or treating individuals who test positive for COVID-19 or who have had a high-risk exposure and are thought to be in the incubation period; the guidance issued on March 15, 2020 by the Centers for Disease Control and Prevention, the California Department of Public Health, and other public health officials through the United States and around the world recommending the cancellation of gatherings involving more than fifty (50) or more persons in a single space at the same time; the March 16, 2020 order of the Public Health Officer prohibiting all gatherings with expected presence above 12 individuals from not more than three families; and Governor Newsom’s Executive Order N-33-20 of March 19, 2020 ordering all persons to stay at home 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.

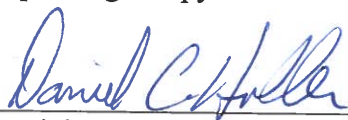
5. This Order is made in accordance with all applicable State and Federal laws regarding the prevention and control of infectious diseases, as well as under the Town’s authority under Article XI, Section 7 of the California Constitution to “make and enforce

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 website and provided to any member of the public requesting a copy of this Order



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

Date: November 17, 2020