



MONO COUNTY HEALTH DEPARTMENT

Public Health Officer Order: Clarification of CDPH “Regional Stay-at-Home” Order as Related to Lodging Facilities

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December 5, 2020

This order provides an update on the status of the State of California’s Stay-At-Home order (Executive Order N-33-20, March 19, 2020), which remains in effect, and supersedes the Town of Mammoth Lakes’ Lodging Order of November 17, 2020, to the extent that this Order is more restrictive. The purpose of this order is to provide additional guidance regarding lodging facilities within the Town of Mammoth Lakes and unincorporated Mono County upon the County becoming subject to the State Department of Public Health’s Regional Stay At Home Order issued December 3, 2020.

WHEREAS, a state of emergency was declared by the State of California, 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, in Mono County, as well as throughout California and the nation, there are insufficient quantities of critical healthcare infrastructure, including hospital beds, ventilators and workers, capable of adequately treating mass numbers of patients at a single time – should the virus spread unchecked; and

WHEREAS, in response to that lack of healthcare infrastructure, governments across the nation are taking actions to slow the spread of COVID-19 in order to stem the rate of infection and reduce the numbers of individuals infected at any one time by minimizing situations where the virus can spread; and

WHEREAS, the State of California has developed the “Blueprint for a Safer Economy”, a risk-based tier system of business, social and worship activity promulgated by the California Department of Public Health/ State Public Health Officer under Health and Safety Code sections § 131080 and § 120140. Under the Blueprint, the level of activity authorized depends upon indicators of COVID-19 infection in a local health jurisdiction (county); and

WHEREAS, Mono County, like much of the United States, is experiencing rapidly increasing cases of COVID-19 and on December 2, 2020, was moved into the most restrictive Purple tier (widespread levels of virus transmission) of the state’s Blueprint for a Safer Economy; and

WHEREAS, on December 3, 2020, in response to a significant rise in the number of cases and hospitalizations related to COVID-19 across the State, the California State Public Health Officer issued a Regional Stay Home Order, which applies to any region of the State which has an adult ICU bed capacity of less than 15% (the “Regional Order”) (<https://covid19.ca.gov/stay-home-except-for-essential-needs/#regional-stay-home-order>); and

WHEREAS, Mono County is within the Southern California Health Officers’ Region (the “Southern Region”) identified by the Regional Order (which includes Mono County, Inyo County, San Bernardino, Riverside, Imperial, Los Angeles, Orange County, City of Pasadena, City of Long Beach, Ventura, San Diego, Santa Barbara and San Luis Obispo County) and with ongoing decreases in ICU capacity to below 15% within the Southern Region, the Regional Order goes into effect for the Southern Region at 23:59 hours on Sunday December 6; and

WHEREAS, the Regional Order requires all individuals living in the region to “stay home or at their place as residence except as necessary to conduct activities associated with the operation, maintenance, or usage of critical infrastructure”¹; and

WHEREAS, the Mono County Health Officer wishes to provide guidance to businesses in the lodging sector of Mono County and the Town of Mammoth Lakes, regarding operations under the Regional Order, for the purpose of clarifying the meaning and intent of the Regional Order and reducing ambiguity and confusion for local businesses;

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

1. Under the Regional Stay At Home Order, short-term lodging facilities (including, but not limited to, short-term rentals, vacation rentals, timeshares, private residence clubs, hotels, condos, campgrounds, RV Parks, and motels) (“Lodging Facilities”) within Mono County and the Town of Mammoth Lakes may remain open for the following purposes:
 - a. To serve as short-term lodging facilities for the following COVID-19 mitigation and containment measures:
 - i. Lodging to protect the homeless population and stranded travelers;
 - ii. Lodging for persons who have been displaced and cannot return to their residence because there is a person residing at the residence

¹ See <https://covid19.ca.gov/essential-workforce/> for a full list of California’s Critical Infrastructure workforce.

who must isolate or quarantine or is at a higher risk of severe illness;
and/or

- iii. Lodging for persons who need to isolate or quarantine.
 - b. Lodging Facilities which are used to house workers performing functions that are essential to maintain the continuity of operations for critical infrastructure, as listed in the Essential Workers List, which may be reviewed at <https://covid19.ca.gov/essential-workforce/> but only to the extent and for the period of time necessary for such workers to perform such functions.
 - c. Lodging for persons who are displaced due loss of homes from fire.
2. Under the Regional Order, except as otherwise required by law, no homeowner, agent of the homeowner, marketing agent, listing agent, real estate agent or other person or entity shall engage in efforts to rent or lease any Lodging Facility within the County of Mono for any purpose other than those identified in Paragraph 1 above. Specifically, there shall be no renting or leasing of a Lodging Facility for leisure or vacation travel, or for purposes other than those listed in paragraph 1.
3. In the event of a question or uncertainty as to whether a particular short-term lodging use falls within the above exemptions (i.e., whether it constitutes a mitigation or containment measure, or involves an essential worker, or whether the essential worker's essential functions require staying in lodging facilities within the County), a written determination or directive from the Unified Command Emergency Operations Center (EOC), Mono County Health Officer, Town of Mammoth Lakes Finance Department, or other personnel designated by the Mono County Emergency Operations Center to make such determinations, that the use is authorized, shall be adequate to authorize such use.
4. The owner of a unit (home, condo, or other property unit) may stay in the unit. Under the state Regional Stay Home order owners should not travel between different homes, except for essential purposes. Units may need maintenance or repairs, upkeep and preparation for transition between seasons, or and to check for other public health and safety risks. This applies only to the owner and members of the owner's immediate household or living unit. If jointly owned, not more than on household/living unit may be present at a time.
5. This Order shall be effective upon the Southern Region becoming subject to the Regional Order and shall remain in effect until the Southern Region is no longer subject to the Regional Order, or Mono County is otherwise released from the coverage of that Order.

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 addressing locations and activities within Mono County where the virus has most aggressively spread.

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 California Department of Public Health's Regional Stay At Home Order issued December 3, 2020 and associated 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. 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.

Thomas Boo, MD

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

Date December 5, 2020

