



County of Mariposa  
Health and Human Services Agency  
Public Health Services

ORDER OF THE HEALTH OFFICER

Issued December 22, 2020

**WHEREAS**, a declaration of emergency was issued by the Governor of the State of California on March 18, 2020, and local emergencies have been declared in Mariposa County in response to the virus COVID-19; and

**WHEREAS**, the California Department of Public Health discourages non-essential travel as a means to slow the spread of COVID-19, and California's Executive Order N33-20 remains in effect, limiting activities throughout the State including travel for nonessential purposes; and

**WHEREAS**, there is limited critical healthcare infrastructure, including hospital beds, ventilators and workers, within the County of Mariposa capable of adequately treating mass numbers of patients at a single time – should the virus spread unchecked; and

**WHEREAS**, the interim State Health Officer on August 28, 2020, amended the March 18, 2020 State Health Officer Order, issuing the "Blueprint for a Safer Economy" establishing a tiered system of restrictions based on the average number of cases in a seven-day period and the test positivity percentage; and

**WHEREAS**, this tiered system ranges from the least restrictive "Yellow"/Minimal/Tier 4 through "Orange"/Moderate/Tier 3 and "Red"/Substantial/Tier 2 to "Purple"/Widespread/Tier 1, each tier describing actions that must be taken in specific sectors; and

**WHEREAS**, the interim State Health Officer on December 3, 2020 issued the "Regional Stay at Home" Order directing counties within specified regions to implement actions to limit the spread of COVID-19 based upon available Intensive Care Unit beds; and

**WHEREAS**, the "Regional State at Home" webpage (<https://covid19.ca.gov/stay-home-except-for-essential-needs/#icu-capacity>) indicates that restaurants should be limited to take out and delivery operations only and wineries, bars, breweries, and distilleries must be closed.

**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 Mariposa County Health Officer HEREBY MAKES THE FOLLOWING ORDERS, which shall be applicable within the County of Mariposa.

All restaurants, wineries and tasting rooms, and bars, breweries and distilleries shall comply with the following:



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1. Adhere to the state guidance specific to their sector while operating under the “Blueprint for a Safer Economy.”
  - a. Restaurants and other dining facilities that serve food adhere to the Restaurants guidance (<https://files.covid19.ca.gov/pdf/guidance-restaurants-bars-wineries--en.pdf>).
  - b. Wineries and tasting rooms that do not serve food adhere to the Wineries and Tasting Rooms guidance (<https://files.covid19.ca.gov/pdf/guidance-wineries--en.pdf>).
  - c. Bars, breweries, and distilleries that do not serve food adhere to the Bars, Breweries, and Distilleries guidance (<https://files.covid19.ca.gov/pdf/guidance-bars--en.pdf>).
2. When the County of Mariposa is in the “Yellow”/Minimal/Tier 4:
  - a. Restaurants may operate indoors with modifications as specified in the Restaurant guidance with a maximum 50% capacity.
  - b. Wineries and tasting rooms may be open indoors with modifications as specified in the Wineries and Tasting Rooms guidance with a maximum 50% capacity or 200 people, whichever is fewer.
  - c. Bars, breweries, and distilleries may be open indoors with modifications as specified in the Bars, Breweries, and Distilleries guidance with a maximum 50% capacity.
3. When the County of Mariposa is in the “Orange”/Moderate/Tier 3:
  - a. Restaurants may operate indoors with modifications as specified in the Restaurant guidance with a maximum 50% capacity or 200 people, whichever is fewer.
  - b. Wineries and tasting rooms may be open indoors with modifications as specified in the Wineries and Tasting Rooms guidance with a maximum 25% capacity or 100 people, whichever is fewer.
  - c. Bars, breweries, and distilleries may be open outdoors only with modifications as specified in the Bars, Breweries, and Distilleries guidance.
4. When the County of Mariposa is in the “Red”/Substantial/Tier 2:
  - a. Restaurants may operate indoors with modifications as specified in the Restaurant guidance with a maximum 25% capacity or 100 people, whichever is fewer.
  - b. Wineries and tasting rooms may be open outdoors only with modifications as specified in the Wineries and Tasting Rooms.



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- c. Bars, breweries, and distilleries are closed to the public.
5. When the County of Mariposa is in the “Purple”/Widespread/Tier 1:
  - a. Restaurants may operate outdoors only with modifications as specified in the Restaurant guidance.
  - b. Wineries and tasting rooms may be open outdoors only with modifications as specified in the Wineries and Tasting Rooms.
  - c. Bars, breweries, and distilleries are closed to the public.
6. When the County of Mariposa, as part of the San Joaquin Valley region, is directed by the State of California to implement a Regional Stay at Home order:
  - a. Restaurants may only provide take out or delivery service.
  - b. Wineries, bars, breweries, and distilleries are closed to the public.
7. 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 as a result 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 County of Mariposa, 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 13, 2020 Declaration of Local Health Emergency based on an imminent and proximate threat to public health from the introduction of novel COVID-19 in Mariposa County; the March 17, 2020 Resolution of the Board of Supervisors of the County of Mariposa proclaiming the existence of a Local Emergency in the County of Mariposa regarding COVID-19 and ratifying and extending the Declaration of Local Health Emergency due to COVID-19; the guidance issued on March 11, 2020 by the California Department of Public Health regarding large gatherings of 250 people or more; 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 throughout 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 17, 2020 order of the Public Health Officer prohibiting all gatherings with expected presence above fifty (50) individuals; and Governor Newsom’s Executive Order N33-20 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, 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.
6. To the extent necessary, pursuant to Government Code sections 26602 and 41601 and Health and Safety Code section 101029, the Health Officer requests that the Sheriff ensure compliance with and enforcement of this Order.



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

8. Copies of this Order shall promptly be posted on the County of Mariposa's website and provided to any member of the public requesting a copy of this Order.

I, as Health Officer for the County of Mariposa, encourage voluntary compliance with this Order of the Health Officer. However, violation of this order is subject to fine, imprisonment or both. (California Health and Safety Code Section 120295).



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Eric Sergienko, MD, MPH  
Health Officer

*22 Mar 2020*

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Date

