

# Amador County Public Health Department

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10877 Conductor Blvd., Ste. 400  
Sutter Creek, CA 95685  
Phone (209) 223-6407  
Fax (209) 223-1562  
publichealth@amadorgov.org



## **ORDER OF THE HEALTH OFFICER OF THE COUNTY OF AMADOR CLARIFYING THE GOVERNOR’S MARCH 19, 2020 AND THE HEALTH OFFICER’S MARCH 20, 2020 “STAY AT HOME” ORDERS AS THEY PERTAIN TO THE USE OF LODGING FACILITIES IN AMADOR COUNTY IN RESPONSE TO COVID-19 OUTBREAK**

**DATE OF ORDER: MARCH 27, 2020**

**Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor and may be punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295, *et seq.*)**

WHEREAS, a state of emergency has been declared by the State of California, and local emergencies have been declared in Amador County in response to the virus COVID-19; and

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

WHEREAS, in furtherance of this effort, on March 19, 2020, Governor Newsom issued Executive Order N-33-20, requiring all persons residing in the State to remain in their homes or places of residence, except as needed to maintain the continuity of operations for critical infrastructure (the “Stay-at-Home Order”); and

WHEREAS, on March 20, 2020, the Amador County Health Officer issued a similar local order, intended to be consistent with the Governor’s Stay-at-Home Order that required all individuals living in Amador County to remain at their place of residence, and for all businesses and governmental agencies to cease non-essential operations at physical locations within the County; and

WHEREAS, on March 20, 2020, the Governor issued additional guidance identifying “Essential Critical Infrastructure Workers” in order to effectuate the Stay-at-Home Order (the “Guidance”). This Guidance, which is attached hereto as an Exhibit and incorporated by this reference, identifies various industry sectors that are deemed essential to maintain the continuity of operations for critical infrastructure, and which thus, may continue to operate notwithstanding the Stay-at-Home Order; and

WHEREAS, the Guidance further lists specific jobs and functions within those critical infrastructure sectors that are deemed “necessary.” This includes hotels and lodging activities related to isolating or quarantining persons infected with or exposed to the COVID-19 virus, or housing workers performing jobs deemed essential to maintaining critical infrastructure; and

WHEREAS, much of Amador County is located in remote, beautiful locations that ordinarily welcome significant numbers of recreational visitors each year; and

WHEREAS, despite the previous orders by the Health Officer and the Governor, it appears that many non-residents have continued to travel to Amador County for non-essential purposes such as recreation and tourism; and

WHEREAS, Amador County only has one hospital in the County with emergency capabilities and limited beds and supplies; and

WHEREAS, the Amador County Health Officer desires to provide further clarification and guidance to visitors to and lodging businesses located within Amador County regarding the use and operation of lodging facilities.

NOW, THEREFORE, the Amador County Health Officer clarifies the previous Orders by the Governor and Health Officer to stay-at-home as follows:

1. The Health Officer reiterates that neither Amador residents nor nonresidents should be traveling from their usual places of residence for the duration of the orders by the Governor and Health Officer except as expressly permitted as a means to accomplish essential functions. Staying in short term lodging, defined as lodging for a period of less than 30 days, to facilitate recreation, tourism or “sheltering in place” away from your ordinary residence is NOT an essential function, places undue strain on infrastructure and services, and is NOT permitted under the orders by the Governor or Health Officer.
2. Short-term lodging facilities, including hotels, motels, condominiums, campgrounds, or other units that are used for COVID-19 mitigation and containment measures, including measures to protect homeless populations, may continue to operate for the limited purpose of providing such mitigation and containment measures (examples include the housing of displaced or otherwise homeless persons or the isolation or quarantine of persons directed to such status by the Health Officer). The term “campground” includes tent camping, cabin camping, and recreational- vehicle camping ordinarily used for occupancies of less than 30 days.
3. Short-term lodging facilities, including hotels, motels, condominiums, campgrounds, or other units that are used to house workers performing functions that are essential to maintain the continuity of operations for critical infrastructure, as listed in the attached Guidance, or were, prior to March 20, 2020, serving as primary residences for Amador County residents, may continue to operate for the limited purpose of housing those critical infrastructure workers.

4. Short-term lodging facilities (including hotels, motels, condominiums, campgrounds or other units) that ordinarily house residents of Amador County who were residing at that facility prior to March 20, 2020 may continue to house those people. To ensure this Directive does not displace residents who were in Amador County prior to the Order, nothing in this Order should be interpreted to preclude the continued residence of short term renters in hotels, motels or rentals where they were residing on or before March 20, 2020, no matter how the owner and lodger set the rental term.
5. In the event of a question or uncertainty as to whether a particular short-term lodging use falls within the Governor's exemptions (i.e., whether it constitutes a mitigation or containment measure, or involves a critical infrastructure worker), a written determination from the State Department of Public Health, the Amador County Health Department, or the Amador County Emergency Operations Center that the use is authorized, or a directive from any of those entities to allow the use, shall be adequate to authorize such use. In the event it is not possible to obtain a determination in writing, such determination may be received orally and documented by the lodging provider (name of authorizing person, entity, and date/time authorization made).

**IT IS SO ORDERED:**



Rita H. Kerr, M.D.  
Health Officer of the County of Amador

Dated: March 27, 2020

Approved as to form and legality:



Gregory Gillott  
Amador County Counsel