



**ORDER OF THE HEALTH OFFICER OF THE COUNTY OF CONTRA COSTA
IMPOSING ADDITIONAL RESTRICTIONS ON SPECIFIED HIGH-RISK BUSINESS
SECTORS TO SLOW THE SPREAD OF COVID-19 IN RESPONSE TO RISING CASE
RATES**

ORDER NO. HO-COVID19-35

DATE OF ORDER: NOVEMBER 4, 2020

Summary of the Order

To slow the spread of Coronavirus Disease 2019 (“COVID-19”), this Order of the Contra Costa County Health Officer imposes the following restrictions as of the date and time set forth in Section 2 of this Order. These restrictions are in addition to other restrictions set forth by the State of California:

- Dine-in restaurants: Indoor operations must be limited to 25 percent of the maximum capacity of the establishment or 100 persons, whichever is less.
- Movie theaters: Indoor operations must be limited to 25 percent of the maximum capacity of the establishment or 100 persons, whichever is less.
- Places of worship and cultural ceremonies: Indoor operations must be limited to 25 percent of the maximum capacity of the location or 100 persons, whichever is less.
- Cardrooms and satellite wagering locations: All indoor operations are prohibited.
- Outdoor bars: All operations are prohibited, except to the extent that alcohol is served only with dine-in meals.

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040 and 120175, THE HEALTH OFFICER OF THE COUNTY OF CONTRA COSTA (“HEALTH OFFICER”) ORDERS:



1. **Basis of Order.** On October 27, 2020, Contra Costa County (“County”) moved into the orange (moderate) tier of the State of California’s Blueprint for a Safer Economy (“State Blueprint”). In the moderate tier, restaurants, movie theaters, places of worship and cultural ceremonies, and cardrooms and satellite wagering establishments are permitted to operate indoors, and outdoor bars are also permitted to operate, under restrictions applicable to the tier, and guidelines issued by the State of California. However, beginning on October 18, 2020, the COVID-19 daily case rate per 100,000 people in the County (seven-day average) began rising. The rate was 4.8 per 100,000 people on October 17, 2020, and as of October 25, 2020, was 5.5 per 100,000 people. The adjusted daily case rate (adjusted based on testing volume under a State- determined formula) is also rising. On October 17, 2020, the adjusted case rate was 4.3 cases per 100,000 people. On October 25, 2020, that rate had risen to 4.9 per 100,000 people. Obtaining control over this rise in community transmissions requires the restriction of high-risk activities. Imposing additional restrictions on these activities now, before the County falls back into a more restrictive tier of the State Blueprint, may reasonably be expected to reduce the number of new COVID-19 cases that would otherwise arise if these new restrictions are not established.

Within the moderate tier, indoor interactions at movie theaters, restaurants, places of worship and cultural ceremonies, and cardrooms and satellite wagering locations, and interactions at outdoor bars, are considered high risk activities. Attendance at indoor movie theaters involves sitting in an enclosed space for one to three hours a time, with individuals removing their face coverings to eat and drink. Likewise, at indoor restaurants, diners remove their face coverings to eat and drink. Religious services and cultural ceremonies in which people remain in an enclosed indoor space for sometimes an hour or more pose an increased risk of transmission. At cardrooms and indoor satellite wagering locations, individuals may be sitting in an enclosed indoor space for several hours at a time.

Bars, foundationally, are social settings where people convene in small groups, and groups mix with other groups. People move about and spend more time in bars than they do in other hospitality sectors. The degree of social mixing between individuals and within groups is also greater in bars than in other hospitality sectors. Alcohol consumption slows brain activity, reduces inhibition, and impairs judgment, all of which contribute to reduced compliance with recommended core personal protective measures, including the use of face coverings and maintaining six feet of distance from people outside of one’s own household. Louder environments and the cacophony of conversation that are typical in bar settings also require raised voices, which results in greater projection of oral emitted viral droplets. The characteristics of bars have led to an increasing concern among public health professionals within California and throughout the nation that bars present the highest risk among the non-essential business sectors currently open. There is also a growing body of evidence tracing large COVID-19 outbreaks in both urban and rural states to bars. Beyond the higher risk of transmission in bar settings, contact tracing, a key measure needed to control virus spread, is also more challenging in bars because of the constant mixing among persons, prolonged and close contact, and lack of record-keeping of patron attendance. For the above reasons, outdoor bars pose a high risk compared to other outdoor activities.



For the above reasons, the Health Officer has determined that it is necessary to impose stricter restrictions on the above business sectors in order to slow to spread of COVID-19. The restrictions set forth below are consistent with the restrictions applicable to these business sectors in the red (substantial) tier of the State Blueprint.

2. **Additional Restrictions on Specified High-Risk Business Sectors.** The following restrictions take effect at 8:00 a.m. on November 5, 2020:
- Dine-in restaurants:** Indoor operations must be limited to 25 percent of the maximum capacity of the establishment or 100 persons, whichever is less.
 - Movie theaters:** Indoor operations must be limited to 25 percent of the maximum capacity of the establishment or 100 persons, whichever is less.
 - Places of worship and cultural ceremonies:** Indoor operations must be limited to 25 percent of the maximum capacity of the location or 100 persons, whichever is less.
 - Cardrooms and satellite wagering locations:** All indoor operations are prohibited.
 - Outdoor bars:** All operations are prohibited, except to the extent that alcohol is served only with dine-in meals.

To the extent that this Order conflicts with the Health Officer's September 14, 2020, Order (HO-COVID19-28) (the "Prior Order"), which authorizes business to operate in the County in accordance with State guidelines and restrictions applicable to the tier of the State Blueprint that the County is in, this Order will control over the Prior Order.

3. **Enforcement.** Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code section 101029, the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order. The violation of any provision of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.
4. **Effective Date and Time:** This order takes effect at 8:00 a.m. on November 6, 2020, and will continue to be in effect until it is extended, rescinded, superseded, or amended in writing by the Health Officer.



5. **Copies; Contact Information.** Copies of this Order shall promptly be: (1) made available at the Office of the Director of Contra Costa Health Services, 1220 Morello Avenue, Suite 200, Martinez, CA 94553; (2) posted on the Contra Costa Health Services website (<https://www.cchealth.org>); and (3) provided to any member of the public requesting a copy of this Order. Questions or comments regarding this Order may be directed to Contra Costa Health Services at (844) 729-8410.

IT IS SO ORDERED:



Chris Farnitano, M.D.
Health Officer of the County of Contra Costa

November 4, 2020

