



ORDER OF THE HEALTH OFFICER No. C19-07~~wx~~

**ORDER OF THE HEALTH OFFICER
OF THE CITY AND COUNTY OF SAN FRANCISCO
DIRECTING ALL INDIVIDUALS IN THE COUNTY TO FOLLOW
HEALTH RISK REDUCTION MEASURES OUTSIDE THEIR
RESIDENCES; URGING GOVERNMENT AGENCIES TO PROVIDE
SHELTER AND SANITATION FACILITIES TO INDIVIDUALS
EXPERIENCING HOMELESSNESS; AND REQUIRING ALL
BUSINESSES AND RECREATION FACILITIES THAT ARE ALLOWED
TO OPERATE TO IMPLEMENT HEALTH RISK REDUCTION
MEASURES**

(STAY SAFER AT HOME)

DATE OF ORDER: May ~~6~~20, 2021

This Order generally allows reopenings of businesses and activities consistent with the State's assignment of the County to the yellow tier (tier 4), based on minimal transmission of the virus, subject to certain further San Francisco safety restrictions based on local health conditions.

Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295, et seq.; California Penal Code §§ 69, 148(a)(1); and San Francisco Administrative Code § 7.17(b).)

Summary: On February 25, 2020 the Mayor of the City and County of San Francisco (the "County") declared a state of emergency to prepare for coronavirus disease 2019 ("COVID-19"). On March 5, 2020 the County recorded its first reported case of COVID-19. On March 16, 2020 the County and five other Bay Area counties and the City of Berkeley, working together, were the first in the State to implement shelter-in-place orders in a collective effort to reduce the impact of the virus that causes COVID-19. Since that time, we have come to learn that the virus can be transmitted in the air through aerosols and that the risk of such airborne transmission is generally higher indoors. Also, while treatments for the disease are improving and vaccines are being administered, treatments remain limited and only a minority of residents has been vaccinated to date. The majority of the population remains susceptible to infection, and local conditions could rapidly worsen if people fail to safely modify their behavior, including wearing face coverings, adhering to social distancing requirements, and avoiding gatherings.



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Initially the shelter-in-place orders generally required individuals to stay in their residences except for essential needs like grocery shopping, working in essential businesses, providing essential government functions, or engaging in essential travel. Over time, and based on health data and a risk analysis, the County allowed the phased resumption of some businesses and activities, consistent with the roadmap that the State has established under its order. Consistent with the State's April 2020 initial four-stage roadmap for reopening, the County created its own phased reopening plan. The County's plan provides for the incremental resumption of certain business and other activities to gradually increase the volume of person-to-person contact to help contain the risk of a surge in COVID-19 cases in the County and the region. The County's plan is available online at <https://sf.gov/topics/reopening>.

Because of the density of San Francisco and local health conditions, the County has moved more cautiously than the State otherwise allows. Our collective effort had a positive impact on limiting the spread of the virus. Early on the County, along with the other Bay Area jurisdictions, were able to bend the curve and preserve hospital capacity. Still, the severe danger the virus poses to the health and welfare of all continues. We need to be vigilant.

Indeed, back in July 2020 the County and the region experienced a second surge in infections and hospitalizations, and took appropriate steps to respond, including pausing the reopening process. Along with all the other counties in the Bay Area, the County was placed on the State monitoring list and temporarily suspended certain additional business activities as required by the State Health Officer. Over the next month, with the collective efforts of businesses and residents, the County was able again to reduce its virus transmission rate and resume reopening some businesses and other activities.

On August 28, 2020 the State adopted a new four-tiered, color-coded framework based on the prevalence of virus transmission in each county to guide reopening statewide—the Blueprint for a Safer Economy—and the State has revised that framework since its initial implementation. That framework can be found online at <https://covid19.ca.gov/safer-economy>. Under the State's framework, counties can be more restrictive than this State framework allows. The State initially assigned the County to the second most restrictive tier, substantial (red). In September and October, the County advanced from the moderate (orange) tier to the minimal (yellow) tier. As case rates and other indicators have changed, the State has moved counties between tiers, and in November 2020 with case rates increasing most counties have moved to the more restrictive tiers. San Francisco along with the rest of the Bay Area appears to have bent the curve and be on the other side of the surge in cases and hospitalizations that began last Fall, as San Francisco has done twice before. On January 26, 2021 the State removed the Bay Area from the State's Regional Stay At Home Order, and San Francisco reverted to the purple tier (tier 1, widespread virus transmission) under the California Blueprint for a Safer Economy. On March 2, 2021, the State reassigned San Francisco to the red tier (tier 2, substantial virus transmission). On March 23, 2021, the State reassigned San Francisco to the orange tier (tier 3, substantial virus transmission) and on May 4, 2021 the State



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reassigned San Francisco to the yellow tier (tier 4, minimal virus transmission). The State has indicated an intent to retire the Blueprint framework on June 15, 2021. Certain state and local health risk reduction measures will likely continue, depending on health conditions that time.

Consistent with the State’s Blueprint for a Safer Economy and that recent tier reassignment, San Francisco allowed certain additional businesses and other activities to reopen, with some additional required safety requirements under this amended Stay-Safer-At-Home Order and companion health directives. San Francisco is reopening and expanding activities consistent with the State’s Blueprint for a Safer Economy, with additional modifications in many instances under its health orders and directives. The decisions to reopen and expand balance the public health risks of COVID-19 transmission with the public health risks of economic and mental health stress. Even though COVID-19 case rates have come down, there remains a risk that people who you come into contact with when you are outside your Residence may have COVID-19. Most COVID-19 infections are caused by people who have no symptoms of illness. We also have confirmed there are new, more contagious virus variants in the San Francisco Bay Area and that these variants are more likely to cause serious illness and death.

The opening and expansion of sectors does not necessarily signify that these activities are “safe.” The purpose of the required safety protocols contained in the order and directives is make these activities and sectors safer for workers and the public. But reopening and expansion requires that all individuals and businesses use particular care and do their part to make these activities as safe as possible by strictly and consistently wearing Face Coverings indoors and in crowds and following Social Distancing Requirements and all other safety protocols.

Everyone who is eligible, including those at risk for severe illness with COVID-19—such as unvaccinated older adults, and unvaccinated individuals with health risks—and members of their household are urged to get vaccinated as soon as possible.

We are going to have to live with the threat of the virus for months to come. And for us to be able to keep our schools open and continue to reopen those that are not yet providing in-person education, as well as to advance toward full reopening and promote the recovery of our economy, we are all going to have to take responsibility to act safely, including wearing face coverings and maintaining physical distancing where required to do so, washing our hands frequently, conducting activities outdoors rather than indoors where possible and avoiding large crowded gatherings particularly if you are not fully vaccinated. We are all in this together, and each of us is going to have to make sacrifices for the good of the community as a whole, including for our most vulnerable members.

This Order includes the following requirements, and you should review the Order itself for additional details.



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General Requirements. The Order:

- Allows people to engage in most activities, including, for example, working for or going to the businesses listed below and certain governmental and essential infrastructure activities, as well as engaging in essential activities, outdoor activities, certain additional activities, and travel related to those activities;
- Urges people at risk for severe illness with COVID-19—such as unvaccinated older adults, and unvaccinated individuals with health risks—and members of their household to get vaccinated as soon as possible and until then defer participating in activities with other people outside their household where taking protective measures of wearing face masks and social distancing may be difficult, especially indoors or in crowded spaces;
- Continues generally to require everyone to wear face coverings while outside their residences indoors or outdoors in crowded areas, subject to limited exceptions;
- Continues generally to require everyone to follow social distancing requirements, including urging people to stay at least six feet away from members outside of their household, subject to limited exceptions;
- Continues to urge government agencies to provide shelter and sanitation facilities for individuals experiencing homelessness;
- Continues to require everyone to comply with requirements issued by the State and other Health Officer orders and directives; and
- Limits large gatherings among different households to help reduce the transmission of the virus.

Requirements for All Businesses. The Order:

- Allows businesses to operate onsite, subject to capacity limits in many instances and safety protocols to help reduce transmission risk;
- Requires that many businesses continue to maximize the number of people who work remotely from home to the extent possible;
- Requires businesses to complete and post a Social Distancing Protocol checklist in the form attached to the Order as Appendix A;
- Requires businesses to direct personnel to stay home when sick and prohibits adverse action against personnel for doing so;
- Requires businesses and governmental entities to report to the San Francisco Department of Public Health when three or more personnel test positive for the virus that causes COVID-19 within a two-week period;
- Requires businesses to post certain signage, including for many indoor businesses signage regarding ventilation systems;
- Urges businesses that operate indoors to implement ventilation guidelines, requires all businesses that operate indoors and are open to members of the public to post a placard about what, if any, ventilation measures they are implementing, and requires at least one ventilation measure for certain of those businesses;



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- Requires businesses that operate indoors and allow face coverings to be removed to implement at least one of the ventilation measures under the Department of Public Health’s guidelines;
Requires all businesses that operate indoors and serve members of the public indoors to implement written procedures to “meter” or track the number of persons entering and exiting the facility to ensure that the maximum capacity for the establishment is not exceeded; and
Requires businesses to cancel reservations or appointments without a financial penalty when a customer has a COVID-19 related reason.

Mandatory Best Practices Health Officer Directives. The Order requires that businesses and other entities currently allowed to operate review and comply with any applicable Health Officer Directives, and many of them require a Health and Safety Plan be completed and posted. These requirements include measures to help protect health of workers and customers, such as face covering, social distancing and sanitation protocols and, in many instances, capacity limits. All directives are available online at www.sfdph.org/directives.

Term. This Order will remain in effect, without a specific expiration date, for so long as the threat of the pandemic continues, or until this Order is otherwise extended, rescinded, superseded, or amended in writing by the Health Officer. But the Health Officer will continue to carefully monitor the evolving situation and will periodically revise this Order to loosen – or, if need be, tighten – restrictions as conditions warrant, to help further the safer economic recovery, reopening of schools and resumption of other activities.

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UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER OF THE CITY AND COUNTY OF SAN FRANCISCO (“HEALTH OFFICER”) ORDERS:

1. Purpose and Findings.

a. Purpose. As of the effective date and time set forth in Section 13, below, this Order supersedes the April 14~~May 6~~, 2021 Order of the Health Officer (as updated on April 15, 2021), No. C19-07~~w~~x (the “Prior Order”), and all individuals, Businesses (as defined in Section 8.e below), and applicable government agencies in the County are required to follow the provisions of this Order. This Order continues to temporarily prohibit~~restrict~~ certain Businesses and activities ~~from in relation to~~ resuming operations and limits some gatherings with individuals from other Households (as defined in Section 3.b below) until it is safer to do so. But it allows certain other most Businesses, activities, travel and governmental functions to occur subject to specified health and safety restrictions, limitations, and conditions to limit the transmission of Novel Coronavirus Disease 2019 (“COVID-19”). COVID-19 continues to pose a severe risk to residents of our County, and significant safety measures are necessary to protect against a surge in COVID-19 cases, serious illnesses and deaths. Accordingly, this Order requires risk reduction measures to be in place across Business sectors and activities that are allowed to occur, ensuring necessary precautions are followed as we adapt the way we live and function in light of the ongoing threat that the virus now poses and is very likely to continue to pose for some



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time to come. The Health Officer will continue to monitor data regarding COVID-19 and the evolving scientific understanding of the risks COVID-19 poses and may amend or rescind this Order based on analysis of that data and knowledge.

- b. Intent. The primary intent of this Order is to ensure that County residents continue to stay safer in their Residences (as defined in Section 3.b, below) to the extent possible and that together as a community our residents, along with visitors and workers in the County, take appropriate risk reduction measures, especially while outside their Residences, to slow the spread of COVID-19 and mitigate its impact on the delivery of critical healthcare services in the County and the region. As further provided in Section 2, below, the Health Officer intends to allow the phased resumption of Businesses and activities to provide for a safer reopening, with specified risk reduction measures, all while the Health Officer continues to assess the transmissibility and clinical severity of COVID-19 in light of the COVID-19 Indicators and risk framework described in Section 2 below.
- c. Interpretation. All provisions of this Order must be interpreted to effectuate the intent of this Order as described in subsection (b) above. The summary at the beginning of this Order as well as the headings and subheadings of sections contained in this Order are for convenience only and may not be used to interpret this Order; in the event of any inconsistency between the summary, headings or subheadings and the text of this Order below, the text will control. Certain initially capitalized used in this Order have the meanings given them in Section 8 below. The interpretation of this Order in relation to the health orders of the State is described in Section 10 below.
- d. Effect of Failure to Comply. Failure to comply with any of the provisions of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both, as further provided in Section 12 below.
- e. Continuing Severe Health and Safety Risk Posed by COVID-19. This Order is issued based on evidence of continued significant community transmission of COVID-19 within the County and throughout the country and beyond; continued uncertainty regarding the degree of undetected asymptomatic transmission; scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically; evidence that the age, condition, and health of a significant portion of the population of the County places it at risk for serious health complications, including death, from COVID-19; and further evidence that others, including younger and otherwise healthy people, are also at risk for serious outcomes including death. Due to the outbreak of COVID-19 in the general public, which remains a pandemic according to the World Health Organization, there is a public health emergency throughout the County, region and State. That immediate threat to public health and safety is also reflected in the continuing declarations of emergency referenced in Section 9.a below. Making the problem worse, some individuals who contract the virus causing the COVID-19



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disease have no symptoms or have mild symptoms, which means they may not be aware they carry the virus and are transmitting it to others. Further, evidence shows that the virus can survive for hours to days on surfaces and be indirectly transmitted between individuals and also may be transmitted through airborne micro-droplets. Because even people without symptoms can transmit the infection, and because evidence shows the infection is easily spread, gatherings of people and other direct or indirect interpersonal interactions, particularly those that occur indoors, can result in preventable transmission of the virus.

f. Local Health Conditions Relating to COVID-19. The efforts taken beginning in March 2020 under the prior shelter-in-place orders of the Health Officer, along with those of health officers of five neighboring counties, slowed the virus's trajectory. While the public health emergency and threat to the County's population remain, the region has significantly increased its capacity to detect cases, contain spread, and treat infected patients through widespread testing; greatly expanded its case investigation and contact tracing program and workforce; and expanded hospital resources and capacity. At the same time, across the region and the rest of the State, there had been a significant reopening of Businesses and activities, accompanied by an increase in cases and hospitalizations, which increases can carry risks to County residents and resources. As we continue to evolve our strategies for protecting residents of the County from COVID-19 and moving toward full reopening, we must consider both the trajectory of the virus in the County and across the region and beyond. To protect the community from COVID-19, we must ensure that when people engage in activities they are doing so as safely as possible.

g. Cases, Hospitalizations and Deaths. As of May ~~15~~, 2021, there were 36,248~~516~~ confirmed cases of COVID-19 in the County (up from 37 on March 16, 2020, the day before the first shelter-in-place order in the County went into effect) as well as at least ~~538~~541 deaths (up from a single death on March 17, 2020). This information, as well as information regarding hospitalizations and hospital capacity, is regularly updated on the San Francisco Department of Public Health's website at <https://data.sfgov.org/stories/s/fjki-2fab>.

2. Health Gating and Risk Criteria Framework for Reopening.

a. Health Gating. To inform decisions about whether and how to augment, limit, or temporarily prohibit Businesses or activities to slow the spread of COVID-19, the Health Officer will continually review (1) progress on the COVID-19 Indicators; (2) developments in epidemiological and diagnostic methods for tracing, diagnosing, treating, or testing for COVID-19; and (3) scientific understanding of the transmission dynamics and clinical impact of COVID-19.

The COVID-19 Indicators and vaccine coverage will be key drivers in the Health Officer's gating decisions. In particular, the number of new COVID-19 cases per 100,000 residents, the rate of change in COVID-19 hospitalizations, and the



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amount of available hospital capacity will help guide decisions. If any indicator or a collection of these and other indicators are orange or red, then the Health Officer will give serious consideration to pausing or even reversing openings if appropriate. Also, the total number of hospitalized COVID-19 patients, and whether this total number is significantly increasing, flat, or decreasing, will play a role in gating decisions. Modeling estimates of peak hospitalizations will also be considered.

Information about San Francisco's status under the COVID-19 Indicators is available on the City's website at <https://data.sfgov.org/stories/s/Key-Health-Indicators-on-Containing-COVID-19/epem-wyzb>.

In addition to evaluating the COVID-19 Indicators in making gating decisions, the Health Officer will also consider the estimate of the effective reproductive number (R_e), and whether there is evidence it is increasing, stable, or decreasing. The effective reproductive number (R_e) is the average number of secondary cases per infectious case in the setting of public health interventions (e.g., sheltering in place, Face Coverings, physical distancing, etc.). When $R_e > 1$, the epidemic curve increases. When $R_e < 1$, the epidemic curve decreases. When $R_e \sim 1$, the epidemic curve is flat.

b. Risk Criteria for Additional Businesses and Additional Activities Under Phased Reopening.

In connection with the health indicators and other public health data discussed above, the Health Officer will consider the risk of transmission involved in Businesses or activities in determining when and how they can safely operate or if they must remain or be ordered temporarily closed. The following risk criteria will inform this analysis:

- 1) *Ability to modify behavior to reduce risk*—whether individuals engaged in the Business or other activity can wear Face Coverings at all times, maintain at least six feet of physical distancing at all times, and comply with other Social Distancing Requirements, including hand washing and sanitation;
- 2) *Avoidance of risky activities*—whether the nature of the Business or activity necessarily involves eating or drinking (which requires removing Face Covering); gatherings with other Households (which presents risks as described in subsection d below); or singing, chanting, shouting, or playing wind/brass instruments (which all present significant risk of airborne transmission);
- 3) *Setting*—Outdoor Businesses and activities are safer than indoor businesses or activities, so outdoors is strongly preferred;



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- 4) *Mixing of Households*—Mixing of people from different Households present higher risk of virus transmission and community spread, and the more different Households that mix, the greater the cumulative risk;
 - 5) *Number, frequency, duration and distance of contacts*—The more people who interact, the higher the risk of virus transmission; and the more people who gather at a site, or the more sites involved in the business, possible interactions increase exponentially (number of contacts). The more often people interact, the higher the risk of virus transmission (frequency of contacts). The longer the duration of contacts, the higher the risk of virus transmission (duration of contacts). The closer the proximity of people, the higher the risk of virus transmission (distance of contacts); and
 - 6) *Modification potential*—the degree to which best practices health protocols can reduce the risk of transmission, where those protocols can be properly implemented.
3. General Requirements for Individuals.
- a. Getting Vaccinated Is The Best Way To Control Risk. For those who are not yet fully vaccinated, staying home or choosing outdoor activities with appropriate safety precautions as much as possible is the best way to prevent the risk of COVID-19 transmission. All activities that involve contact with people from different Households increase the risk of transmission of COVID-19.
 - b. Residences and Households. For purposes of this Order, “Residences” include hotels, motels, shared rental units, and similar facilities. Residences also include living structures and outdoor spaces associated with those living structures, such as patios, porches, backyards, and front yards that are only accessible to a single family or Household. For purposes of this order “Household” means people living in a single Residence or shared living unit. Households do not refer to individuals who live together in an institutional group living situation such as in a dormitory, fraternity, sorority, monastery, convent, or residential care facility.
 - c. Individuals Experiencing Homelessness. Individuals experiencing homelessness are strongly urged to obtain shelter. Government agencies and other entities operating shelters and other facilities that house or provide meals or other necessities of life for individuals experiencing homelessness are strongly urged to, as soon as possible, make such shelter available, and must take appropriate steps to help ensure compliance with Social Distancing Requirements, including adequate provision of hand sanitizer. Also, individuals experiencing homelessness who are unsheltered and living in encampments should, to the maximum extent feasible, abide by 12 foot by 12 foot distancing for the placement of tents, and government agencies should provide restroom and hand washing facilities for individuals in such encampments as set forth in Centers for Disease Control and Prevention Interim Guidance Responding to Coronavirus 2019 (COVID-19) Among People Experiencing Unsheltered



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Homelessness (<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/unsheltered-homelessness.html>).

- d. People At Risk For Severe Illness. People at risk for severe illness with COVID-19—such as unvaccinated older adults, and unvaccinated individuals with health risks—and members of their household are urged to get fully vaccinated as soon as they can. The most up-to-date information about who is at increased risk of severe illness and people who need to take extra precautions can be found at <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-increased-risk.html>.
- e. Mandatory Risk Reduction Measures For Individuals Outside their Place of Residence. When people leave their place of Residence, they must (1) strictly comply with the Social Distancing Requirements as defined in Section 8.o, and (2) wear Face Coverings as defined and provided in, and subject to the exceptions in, Health Officer Order No. C19-12 (the “Face Covering Order”), including any future amendments to that order. The requirement to strictly comply with Social Distancing Requirements is subject to a limited exception as necessary to provide care (including childcare, adult or senior care, care to individuals with special needs, and patient care); as necessary to carry out the work of Essential Businesses, Essential Governmental Functions, or provide for Minimum Basic Operations; or as otherwise expressly provided in this Order. For clarity, individuals who do not currently reside in the County must comply with all applicable requirements of this Order when in the County.
- f. Limitations on Large Gatherings that Involve Mixing of Different Households to Reduce Virus Transmission Risk. Large gatherings of individuals from different Households can pose a significant risk of virus transmission to the community, particularly if safety precautions are not considered. The greater the number of people from different households in a gathering, the greater the risk of the spread of COVID-19. Public and private gatherings of members of different Households are prohibited except for gatherings that are expressly allowed in this Order, which includes, but is not limited to, gatherings occurring as part of any business that is allowed to operate or as an Additional Activity as listed in Appendix C-2. If, despite this prohibition, people find themselves with members of other Households, they are highly recommended to follow the health guidelines for safer interactions set forth in the Tip Sheet for Safer Interactions During COVID-19 Pandemic, available online at www.sfdcp.org/safersocial.
- g. Quarantine and Isolation Requirements and Recommendations Upon Moving to, Traveling to, or Returning to the County. Everyone is strongly encouraged to comply with the State travel advisory (available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Travel-Advisory.aspx>) and, as to fully vaccinated individuals, with CDC travel guidelines



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(available at <https://www.cdc.gov/coronavirus/2019-ncov/travelers/travel-during-covid19.html>).

- h. Vaccination. Individuals are strongly urged to get fully vaccinated before participating in activities involving contact with other Households. Fully vaccinated individuals are subject to some fewer restrictions as provided in this Order, and there are capacity bonuses or allowances for certain large gatherings where all the participants are fully vaccinated or tested. Unless and until expressly stated otherwise in this Order or another Health Officer order or directive, all health and safety requirements under this Order and related directives apply equally to those people who have been vaccinated for COVID-19 as to those who have not.
- i. Singing, Playing Wind or Brass Instruments, and Other Similar Activities. Singing, chanting, shouting, cheering, playing wind and brass instruments and other activities involving similar elevated exhalation of breath are allowed as follows:

Outdoors:

- People may sing, shout, cheer, etc. as long as they remain at least six feet away from other Households, face coverings are not required unless otherwise required by the Face Covering Order;
- People may play a wind or brass instrument as long as they remain at least six feet away from other Households, instrument covers are not required unless otherwise required by the Face Covering Order; and
- There is no cap on the number of performers, event leaders or other people who can cheer, sing, etc. or play a wind or brass instrument at a time, subject to any specified capacity limits for that activity.

Indoors:

Due to the ongoing increased risk of COVID-19 transmission, singing, chanting, shouting, cheering, etc. and playing wind or brass instruments are strongly discouraged in indoor settings. But these activities are allowed indoors under these protocols:

- Subject to State restrictions, people may cheer, sing, etc. as long as they wear a face covering and remain at least six feet away from other Households;
- Nobody may cheer, sing, etc. indoors without a face covering on;
- People may play a wind or brass instrument with an instrument cover as long as they remain at least six feet away from other Households;
- Nobody may play a wind or brass instrument without a cover; performers may wear a face covering with a mouth-slit in addition to, but not in place of, an instrument cover; and
- There is no cap on the number of people who can cheer, sing, etc. or play a wind or brass instrument at a time; but the capacity of the indoor facility is subject to the 50% (or lower) occupancy limit specified for the activity, or the number of people who can maintain required physical distance, whichever is lower.



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4. General Requirements for Businesses and Business Activities.

- a. Allowed Businesses. Essential Businesses, Outdoor Businesses, and Additional Businesses, as defined in Sections 8.a, 8.b and 8.c, are allowed to operate in the County under this Order. All other Businesses are temporarily required to cease all activities at facilities located within the County except Minimum Basic Operations, as defined in Section 8.d. Except as otherwise provided in Appendix C-1, Businesses that include allowed operations alongside other operations that are not yet allowed must, to the extent feasible, scale down their operations to the allowed components only.
- b. Maximization of Telework. All Businesses should continue to maximize the number of Personnel who work remotely from their place of Residence, subject to the conditions and limitations provided in Appendix C-1.
- c. Activities that Can Occur Outdoors. All Businesses are strongly urged to move as many operations as possible outdoors, to the extent permitted by local law and permitting requirements, where there is generally less risk of COVID-19 transmission. Businesses that operate outdoors may, subject to any applicable permit requirements, conduct their operations in a tent, canopy, or other shelter, as long as the shelter complies with: (1) the California Department of Public Health's November 25, 2020 guidance regarding "Use of Temporary Structures for Outdoor Business Operations" (available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Use-of-Temporary-Structures-for-Outdoor-Business-Operations.aspx>); and (2) the San Francisco Department of Public Health's guidance on "Safer Ways to Use New Outdoor Shared Spaces for Allowed Activities During COVID-19" (available at <https://www.sfdph.org/dph/files/ig/Guidance-Shared-Outdoor-Spaces.pdf>).

d. Social Distancing Protocol and Personnel Screening.

- 1) *Social Distancing Protocol.* As a condition of operating under this Order, the operators of all Businesses allowed to operate must comply with the requirements of the Social Distancing Protocol attached to this Order as Appendix A and must complete a Social Distancing Protocol checklist for each of their facilities in the County frequented by Personnel or members of the public. The Social Distancing Protocol checklist must be posted at or near each public entrance of each of the Business facilities and must be easily viewable by the public and Personnel. ~~A copy of the Social Distancing Protocol checklist must also be provided in hardcopy or electronic format to each person performing work at the facility.~~ Each Business subject to this paragraph must provide evidence of its implementation of the Social Distancing Protocol requirements to any authority enforcing this Order upon demand. A copy of the Social Distancing Protocol checklist must also be provided by the Business or entity to any member of the public on request.



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With the exception of construction activities—which must comply with the Construction Project Safety Protocols set forth in Appendix B—each Business must use the Social Distancing Protocol checklist included in Appendix A or a form that is substantially similar.

2) *Personnel and Patron Health Screening.* Businesses and other organizations, including government entities, must develop and implement a process for screening Personnel for COVID-19 symptoms. But this Order no longer requires that Businesses or other organizations perform on-site pre-entry health screening of Personnel or patrons, including screening for symptoms of COVID-19, asking about close contact with others who have COVID-19, or verifying completion of remote self-screening. Instead, this Order recommends that all individuals monitor themselves for COVID-19 symptoms or exposures, and that Businesses and other organizations ask Personnel and patrons to evaluate their own symptoms before reporting to work. If Personnel or patrons have symptoms consistent with COVID-19 that are not explained by another condition, they should isolate except to get tested or seek medical care when appropriate unless otherwise excused from isolation by a medical professional.

Businesses or other organizations may choose to continue on-site health screening of Personnel or patrons or verify remote self-screening and, in some cases, state and other regulatory agencies may require such screening (for example, for community sporting events). If a Business or other organization conducts on-site health screening, it should do so safely, respectfully, and in accordance with applicable privacy and confidentiality laws. For additional resources, including optional sample screening forms, go to www.sfdcp.org/screen and see Attachments A-1 and A-2 of Appendix A to this Order.

This subsection d.2 supersedes any conflicting screening requirement in any other previously-issued directive or order of the Health Officer.

d.e. Industry Specific Requirements. In addition to the Social Distancing Protocol, all Businesses allowed to operate under this Order must follow any industry or activity-specific guidance issued by the Health Officer related to COVID-19 (available online at <http://www.sfdph.org/directives>) and any conditions on operation specified in this Order, including those specified in Appendix C-1.

e.f. Businesses Must Allow Personnel to Stay Home When Sick. As outlined in the Social Distancing Protocol, Businesses are required to allow Personnel to stay home if they have symptoms associated with COVID-19 that are new or not explained by another condition (see <http://www.sfdcp.org/covid19symptoms>) or if they have



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been diagnosed with COVID-19 (by a test or a clinician) even if they have no symptoms. Personnel are prohibited from coming to work if they ~~are sick~~have symptoms associated with COVID-19 that are new or not explained by another condition and may only return to work as outlined in the Social Distancing Protocol. Generally speaking, Personnel with any single COVID-19 symptom that is new or not explained by another condition (and who have not already been diagnosed with COVID-19) must have a negative COVID-19 test OR stay out of work for at least 10 days since symptoms started in order to return to work. Those who have been diagnosed with COVID-19 or had a test confirming they have the virus cannot return to work until at least 10 days after their symptoms have started; if they never had symptoms but had a positive COVID-19 test they can return 10 days after the date their test was collected. Those who are close contacts of someone with COVID-19 must generally remain out of work for 10 days since their last close contact, and the exact duration depends on their occupation (details can be found at www.sfcddp.org/quarantineduration). See the Optional Personnel Screening Attachment (A-1) of the Social Distancing Protocol for more details (also posted at www.sfcddp.org/screening-handout). Anyone who has received the COVID-19 vaccine should read more about whether they need to quarantine after being a close contact at: www.sfcddp.org/quarantineaftervaccination. Each Business that is required to comply with the Social Distancing Protocol is prohibited from taking any adverse action against any Personnel for staying home in the circumstances listed in the Social Distancing Protocol.

f.g. Signage For Indoor Activities. Although this Order allows certain indoor activities to resume, those activities are allowed subject to more stringent safety measures and, as a general matter, remain inherently riskier than activities that are done outdoors. All businesses that are allowed to be open indoors for the public must conspicuously post signage, including at all primary public entrances, reminding people to adhere to physical distancing, hygiene, and Face Covering requirements and to stay home when they ~~feel ill~~have symptoms associated with COVID-19 that are new or not explained by another condition. They must also post a stand-alone sign bearing the message that: (1) COVID-19 is transmitted through the air, and the risk is generally higher indoors, and (2) unvaccinated older adults, unvaccinated individuals with health risk, and members of their Household are urged to avoid indoor settings with crowds at this time. The County is making templates for the signage available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>. The templates may be updated from time to time, and businesses are strongly urged to keep informed of those changes and update their signage accordingly.

g.h. Signage For Employees.

- i. Signage Regarding Reporting Unsafe Conditions Related To COVID-19. All businesses are required to post signs in employee break rooms or areas informing employees that they can report violations of COVID-19 health orders and directives by calling 311 or visiting www.sf.gov/report-health-order-violation.



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Signage should also state that the employee's identity will not be disclosed to the employer. Sample signage is available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>.

- ii. Signage To Encourage Vaccination. All businesses are required to post signs in employee break rooms or areas encouraging employees to get vaccinated and informing them how to obtain additional information. Sample signage is available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>.

h.i. Ventilation Requirements.

- i. All businesses that are allowed to be open indoors must review the San Francisco Department of Public Health's Guidance on "Ventilation for Non-Healthcare Organizations During the COVID-19 Pandemic," available online at <https://www.sfdcph.org/COVID-Ventilation> ("Ventilation Guidance"). Those businesses must: (1) implement as many improvements in the Ventilation Guidance document as feasible, and (2) keep a hand-annotated copy of the Ventilation Guidance showing which improvements were considered and implemented. Ventilation guidance from recognized authorities such as the CDC, ASHRAE, or the state of California can be used as an alternate to the DPH Ventilation Guidance with an annotated version of the alternate guidance kept on hand.
- ii. All businesses—including essential businesses—that operate indoors and serve members of the public indoors, except hospitals and medical offices that meet Title 24 requirements for ventilation for healthcare facilities, must conspicuously post signage, including at all primary public entrances, indicating which of the following ventilation strategies are used at the facility: All available windows and doors accessible to fresh outdoor air are kept open; Fully Operational HVAC systems; Appropriately sized portable air cleaners in each room; or None of the above.

In addition, all businesses—including hospitals and medical offices that meet Title 24 requirements for ventilation for healthcare facilities—must conspicuously post this same ventilation signage in any and all breakrooms in their facilities.

The County is making templates for the signage available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>. The templates may be updated from time to time, and businesses are strongly urged to keep informed of those changes and update their signage accordingly.

- iii. In addition to posting the signage required by subsection (ii) above, businesses and facilities other than steam rooms and saunas where individuals are allowed to remove their Face Coverings may only open or remain open to the



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public if they are using at least one of the following ventilation strategies: (1) all available windows and doors accessible to fresh outdoor air are kept open; (2) fully operational HVAC system; and (3) appropriately sized Portable Air Cleaners (as defined in the Ventilation Guidance) in each room. Businesses and facilities subject to this requirement include, for example and without limitation:

- Dining establishments that offer indoor dining (including food courts in Indoor Shopping Centers),
- Indoor personal service providers that will be providing services requiring the removal of clients' Face Coverings,
- Indoor filming venues where people will be removing their Face Coverings for allowed production-related purposes,
- Houses of worship that allow Face Coverings to be removed briefly for religious rituals or ceremonies in compliance with section 4.7 of Health Officer Directive 2020-34, including as it may be amended in the future,
- Institutions of Higher Education that allow Face Coverings to be removed indoors as necessary for specialized instruction in an indoor class in compliance with section 2.10 of Health Officer Directive 2020-22, including as it may be amended in the future,
- Movie theaters where concessions are offered,
- Facilities where live events with in-person audiences are held with concessions offered,
- Facilities where private events with food or drink, including conferences, meetings, and receptions are held,
- Gyms where cardio equipment are placed less than 12 feet apart,
- Break rooms or other office spaces where employees are allowed to eat with other people,
- Indoor pools, and
- Locker room and shower facilities.

If option 1 is used, doors and windows that are required to be kept closed for fire/life safety purposes are exempt. For example, fire doors must remain closed. Make sure open windows do not create falling hazards especially for children. Also, if doors and windows must be closed due to weather or air conditions, the facility must close to the public until the doors and windows can be opened or another ventilation strategy is implemented.

i-j. **Compliance With State Orders.** All businesses that are allowed to operate under this Order must operate in compliance with any applicable orders issued by the State that may limit the hours or manner of operation of businesses.

j-k. **Capacity Limitations.** With the exception of indoor bars without meals and indoor sauna, steam and hot tubs, which have lower capacity limits as set forth in Appendix C-1 to this Order, all businesses that operate indoors and serve members of the public



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indoors (including but not limited to essential and non-essential retail stores, and other essential businesses such as banks and businesses providing mailing and shipping services) must limit capacity to the lesser of: (1) 50% the store's maximum occupancy or (2) the number of people who can maintain at least six feet of physical distance from each other in the facility at all times.

Unless otherwise provided in an appendix to this Order or industry-specific Health Officer directive, the capacity limit does **not** include staff or other Personnel of a business.

Businesses are urged to institute special hours for older adults and others with chronic conditions or compromised immune systems.

- l. Metering Requirements. All businesses that that operate indoors and serve members of the public indoors subject to a capacity limitation must develop and implement written procedures to “meter” or track the number of persons entering and exiting the facility to ensure that the maximum capacity for the establishment is not exceeded. For example, an employee of the establishment may be posted at each entrance to the facility to perform this function. The establishment must provide a copy of its written “metering” procedures to an enforcement officer upon request and disclose the number of members of the public currently present in the facility.

5. Schools, Childcare, Youth Programs, and Higher Education

- a. Schools. Transitional kindergarten (TK)-12 schools may operate for in-person instruction subject to the following requirements and conditions.

- 1) TK-12 Grade. Schools serving grades TK-12 may open for indoor in-person instruction if they:
 - i. obtain advance written approval of the Health Officer, and
 - ii. complete and post a Covid-19 Safety Plan (CSP)—as described in the California Department of Public Health “Covid-19 and Reopening In-Person Instruction Framework & Public Health Guidance for K-12 Schools in California, 2020-21 School Year (available at https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Consolidated_Schools_Guidance.pdf)—to their website homepage and submit the CSP to the San Francisco Department of Public Health and the State Safe Schools for All Team and there are no identified deficiencies.

More information about this process is available at <https://www.sfdph.org/dph/covid-19/schools-education.asp> or email the Schools and Childcare Hub at schools-childcaresites@sfdph.org.



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- 2) Specialized Targeted Support Services. TK-12 schools may operate to provide in-person specialized and targeted support services to vulnerable children and youth. Schools providing specialized targeted support services do not need to obtain a waiver or advance written approval of the Health Officer, but must comply with the Health Officer Directive No. 2020-26, including as it may be amended in the future. Additional information about what qualifies as specialized targeted support services and which students may be served in these specialized programs is available at <https://www.sfdph.org/dph/covid-19/schools-education.asp>.
- 3) Requirements for All TK-12 Schools. All TK-12 schools must follow any applicable directives issued by the County Health Officer, including Health Officer Directive No. 2020-33 (www.sfdph.org/directives), including as it may be amended in the future, and any applicable “COVID-19 Industry Guidance” issued by the California Department of Public Health, available at <https://covid19.ca.gov/industry-guidance/>.

For clarity, this subsection applies to public and private schools operating in San Francisco, including independent, parochial and charter schools.

- b. Home-Based Care for Children. Home-based care for children is permitted under Section 8.a.xxi, below.
- c. Childcare Programs for Young Children. Group care facilities for children who are not yet in elementary school—including, for example, licensed childcare centers, daycares, family daycares, and preschools (including cooperative preschools)—may operate subject to, and to the extent permitted by, the health and safety requirements set forth in Section 3.b.1 of Appendix C-1 and Health Officer Directive No. 2020-14, including as it may be amended in the future.
- d. Out of School Time Programs. With the exception of schools, which are addressed in subsection (a) above, educational or recreational institutions or programs that provide care or supervision for school-aged children and youth—including for example, learning hubs, other programs that support and supplement distance learning in schools, school-aged childcare programs, youth sports programs, and afterschool programs—may operate subject to, and to the extent permitted by, the health and safety requirements set forth in Section 3.b.3 of Appendix C-1 and Health Officer Directive No. 2020-21, including as it may be amended in the future.
- e. Institutions of Higher Education and Adult Education. Institutions of higher education (“IHEs”), such as colleges and universities, and other programs offering adult education—including, for example, programs offering job skills training and English as a second language classes to adults—may operate subject to, and to the extent permitted by, the health and safety requirements set forth in Section 14 of Appendix C-1, and Health Officer Directive No. 2020-22, including as it may be



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amended in the future.

- f. Additional Information. Additional information about the operational requirements and restrictions relating to COVID-19 for schools, childcare, and youth programs is available at <https://www.sfdph.org/dph/covid-19/schools-education.asp>.

6. Public Transit.

- a. Transit agencies, people riding or waiting to ride on public transit, and people at or near a public transit stop or station must comply with Social Distancing Requirements, as defined in Section 8.o, except as provided in subsection (b) below. Personnel and passengers must wear Face Coverings as required by the Face Covering Order. Personnel and passengers are urged to get fully vaccinated and those who are not fully vaccinated are strongly urged to double mask. Further, under federal rules there are additional restrictions on required face coverings while people are riding public transit or in public transportation facilities (e.g., buses, streetcars, ferries, bus stations, ferry terminals, and airports); properly fitting face coverings covering the nose and mouth are required, and bandanas, scarves and loosely woven masks are not allowed in these settings. *See* CDC order for face masks on public transportation conveyances and at transportation hubs, available at <https://www.cdc.gov/coronavirus/2019-ncov/travelers/face-masks-public-transportation.html>. Also, people riding or waiting to ride on public transit must follow any applicable directives issued by the County Health Officer (www.sfdph.org/directives) and any applicable “COVID-19 Industry Guidance” issued by the California Department of Public Health, available at <https://covid19.ca.gov/industry-guidance/>.
- b. Transit agencies that have submitted an acceptable health and safety plan to the Department of Public Health may relax the six-foot social distancing requirement between riders, provided that they encourage riders from different Households to maintain six feet social distance to the greatest extent feasible. Transit agencies that have submitted an acceptable health plan must still ensure that there is at least six-foot social distance between transit operators and members of the public. The Department of Public Health has posted a template health and safety plan at www.sfdph.org/directives.

7. Mandatory Reporting by Businesses and Government Entities When Three or More Personnel Contract COVID-19 Within Two Weeks.

Businesses and governmental entities must require that all Personnel immediately alert the Business or governmental entity if they test positive for COVID-19 and were present in the workplace within the 48 hours before onset of symptoms or, if asymptomatic, within 48 hours of the date on which they were tested. Businesses and governmental entities can learn more about what to do after a positive COVID-19 case among



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Personnel at www.sfdcp.org/covid19-positive-workplace. If a Business or governmental entity has three or more Personnel who test positive for COVID-19 within a two-week period, then the Business or governmental entity is required to call the San Francisco Department of Public Health at 628-217-6100 immediately to report the cluster of cases. Businesses and governmental entities must also comply with all case investigation and contact tracing measures by the County, including providing any information requested. This section does not apply to construction projects that are covered by the reporting requirements included in Appendix B.

8. Definitions.

For purposes of this Order, the following initially capitalized terms have the meanings given below.

Allowed Businesses and Business Activities.

- a. *Essential Businesses.* “Essential Businesses” means:
- i. Healthcare Operations (as defined in subsection g below);
 - ii. Grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of unprepared food, canned food, dry goods, non-alcoholic beverages, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, as well as hygienic products and household consumer products necessary for personal hygiene or the habitability, sanitation, or operation of Residences. The Businesses included in this subsection include establishments that sell multiple categories of products provided that they sell a significant amount of essential products identified in this subsection, such as liquor stores that also sell a significant amount of food;
 - iii. Food cultivation, including farming, livestock, and fishing;
 - iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
 - v. Construction, but only as permitted under the State Order and only pursuant to the Construction Safety Protocols listed in Appendix B and incorporated into this Order by this reference. City public works projects are not subject to Appendix B, but rather must comply with Health Officer Directive No. 2020-04, including as it may be amended in the future, regarding the Construction Safety Protocols for City Public Works Projects;
 - vi. Newspapers, television, radio, and other media services;
 - vii. Gas stations and auto-supply, auto-repair (including, but not limited to, for cars, trucks, motorcycles and motorized scooters), and automotive dealerships, but only for the purpose of providing auto-supply and auto-repair services. This



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subsection (vii) does not restrict the on-line purchase of automobiles if they are delivered to a Residence or Essential Business;

- viii. Bicycle repair and supply shops;
- ix. Banks and related financial institutions;
- x. Service providers that enable real estate transactions (including rentals, leases, and home sales), including, but not limited to, real estate agents, escrow agents, notaries, and title companies, provided that appointments and other residential real estate viewings must only occur virtually or, if a virtual viewing is not feasible, by appointment with no more than two visitors at a time residing within the same Household and one individual showing the unit (except that in person visits are not allowed when the occupant is present in the Residence);
- xi. Hardware stores;
- xii. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the habitability, sanitation, or operation of Residences and Essential Businesses;
- xiii. Businesses providing mailing and shipping services, including post office boxes;
- xiv. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, or as allowed under subsection (xxvi), provided that social distancing of six feet per person is maintained to the greatest extent possible;
- xv. Laundromats, drycleaners, and laundry service providers;
- xvi. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
- xvii. Funeral home providers, mortuaries, cemeteries, and crematoriums, to the extent necessary for the transport, preparation, or processing of bodies or remains, and for those same entities, as well as for houses of worship, to hold (a) indoor funerals for the number of individuals then allowed to gather for indoor religious services and cultural ceremonies under Section (9)b.3 of Appendix C-2, and (b) outdoor funerals subject to the capacity limits for outdoor religious gatherings under Section (9)b.2 of Appendix C-2, but indoor and outdoor funerals cannot be held concurrently for the funeral for the same individual at the same location;
- xviii. Businesses that supply other Essential Businesses and Outdoor Businesses with the support or supplies necessary to operate, but only to the extent that they



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support or supply these Businesses. This exemption shall not be used as a basis for engaging in sales to the general public from retail storefronts;

- xix. Businesses that have the primary function of shipping or delivering groceries, food, or other goods directly to Residences or Businesses. This exemption shall not be used to allow for manufacturing or assembly of non-essential products or for other functions besides those necessary to the delivery operation;
- xx. Airlines, taxis, rental car companies, rideshare services (including shared bicycles and scooters), and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
- xxi. Home-based care for seniors, adults, children, and pets;
- xxii. Residential facilities and shelters for seniors, adults, and children;
- xxiii. Professional services, such as legal, notary, or accounting services, when necessary to assist in compliance with non-elective, legally required activities or in relation to death or incapacity;
- xxiv. Services to assist individuals in finding employment with Essential Businesses;
- xxv. Moving services that facilitate residential or commercial moves that are allowed under this Order;
- xxvi. Childcare establishments and other educational or recreational institutions or programs providing care or supervision for children (with the exception of summer camps, which are addressed separately in Appendix C-1, and schools, which are addressed separately in Section 6.b, above) that enable owners and Personnel of Essential Businesses and providers of Essential Governmental Functions to work as allowed under this Order;
- xxvii. Businesses that operate, maintain, or repair Essential Infrastructure.

b. *Outdoor Businesses*. “Outdoor Businesses” means:

- i. The following Businesses that normally operated primarily outdoors before March 16, 2020, and where there is the ability to fully maintain social distancing of at least six feet between all persons:
 - 1. Businesses primarily operated outdoors, such as wholesale and retail plant nurseries, agricultural operations, and garden centers; and
 - 2. Service providers that primarily provide outdoor services, such as landscaping and gardening services, and environmental site remediation services.

For clarity, “Outdoor Businesses” do not include outdoor restaurants, cafes, or bars. Except as otherwise provided in Appendix C-1, they also do not include Businesses that promote large, coordinated, and prolonged gatherings, such as outdoor concert venues and amusement parks.



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Outdoor Businesses may conduct their operations in a tent, canopy, or other shelter as provided in Section 4.c above.

- c. *Additional Businesses.* “Additional Business” means any Business identified as an Additional Business in Appendix C-1, which will be updated as warranted based on the Health Officer’s ongoing evaluation of the COVID-19 Indicators and other data. In addition to the other requirements in this Order, operation of those Additional Businesses is subject to any conditions and health and safety requirements set forth in Appendix C-1 and in any industry-specific guidance issued by the Health Officer.
- d. *Minimum Basic Operations.* “Minimum Basic Operations” means the following activities for Businesses, provided that owners, Personnel, and contractors comply with Social Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:
 - i. The minimum necessary activities to maintain and protect the value of the Business’s inventory and facilities; ensure security, safety, and sanitation; process payroll and employee benefits; provide for the delivery of existing inventory directly to Residences or Businesses; and related functions. For clarity, this section does not permit Businesses to provide curbside pickup to customers; and
 - ii. The minimum necessary activities to facilitate owners, Personnel, and contractors of the Business being able to continue to work remotely from their Residences, and to ensure that the Business can deliver its service remotely.
- e. *Business.* A “Business” includes any for-profit, non-profit, or educational entity, whether a corporate entity, organization, partnership or sole proprietorship, and regardless of the nature of the service, the function it performs, or its corporate or entity structure.
- f. *Personnel.* “Personnel” means the following people who provide goods or services associated with the Business in the County: employees; contractors and sub-contractors (such as those who sell goods or perform services onsite or who deliver goods for the Business); independent contractors; vendors who are permitted to sell goods onsite; volunteers; and other individuals who regularly provide services onsite at the request of the Business. “Personnel” includes “gig workers” who perform work via the Business’s app or other online interface, if any.
- g. *Healthcare Operations.* “Healthcare Operations” includes, without limitation, hospitals, clinics, COVID-19 testing locations, dentists, pharmacies, blood banks and blood drives, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption for Healthcare Operations must be construed broadly to



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avoid any interference with the delivery of healthcare, broadly defined. “Healthcare Operations” excludes fitness and exercise gyms and similar facilities.

Allowed Activities.

h. *Essential Activities.* “Essential Activities” means to:

- i. Engage in activities or perform tasks important to their health and safety, or to the health and safety of their family or Household members (including pets);
- ii. Obtain necessary services or supplies for themselves and their family or Household members, or to deliver those services or supplies to others;
- iii. Provide necessary care for a family member or pet in another Household who has no other source of care;
- iv. Attend a funeral with no more than 12 individuals present (or, if higher, the number of individuals allowed to gather for social gatherings under Appendix C-2); and
- v. Move Residences.

i. *Outdoor Activities.* “Outdoor Activities” means:

- i. To engage in outdoor recreation activity, including, by way of example and without limitation, walking, hiking, bicycling, and running, in compliance with Social Distancing Requirements and with the following limitations:
 1. Outdoor recreation activity at parks, beaches, and other open spaces must comply with any restrictions on access and use established by the Health Officer, government, or other entity that manages such area to reduce crowding and risk of transmission of COVID-19;
 2. Except as otherwise provided in Appendix C-2 or as otherwise authorized in writing by the Health Officer, use of outdoor recreational areas and facilities with high-touch equipment or that encourage gathering—including playgrounds, gym equipment, climbing walls, pools, spas, and barbecue areas—is prohibited outside of Residences, and all such areas must be closed to public access including by signage and, as appropriate, by physical barriers; and
 3. Except as otherwise provided in Appendix C-2, sports or activities that include the use of shared equipment or physical contact between participants may only be engaged in by members of the same Household.

Outdoor Activities may be conducted in a tent, canopy, or other shelter, as provided in Section 4.c above.



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- j. *Additional Activities*. “Additional Activities” means:
- i. To engage in outdoor recreation activities or other activities set forth in Appendix C-2, subject to any conditions and health and safety requirements set forth there.

Allowed Travel.

- k. *Essential Travel*. “Essential Travel” means travel for any of the following purposes:
- i. Travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, Minimum Basic Operations, Outdoor Activities, Outdoor Businesses, Additional Activities, and Additional Businesses;
 - ii. Travel to care for any elderly, minors, dependents, or persons with disabilities;
 - iii. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services;
 - iv. Travel to return to a place of Residence from outside the County;
 - v. Travel required by law enforcement or court order;
 - vi. Travel required for non-residents to return to their place of Residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional before commencing such travel;
 - vii. Travel to manage after-death arrangements and burial;
 - viii. Travel to arrange for shelter or avoid homelessness;
 - ix. Travel to avoid domestic violence or child abuse;
 - x. Travel for parental custody arrangements; and
 - xi. Travel to a place to temporarily reside in a Residence or facility to avoid potentially exposing others to COVID-19, such as a hotel or other facility provided by a governmental authority for such purposes.

Governmental Functions.

- l. *Essential Infrastructure*. “Essential Infrastructure,” including airports, utilities (including water, sewer, gas, and electrical), oil refining, roads and highways, public transportation, solid waste facilities (including collection, removal, disposal, recycling, and processing facilities), cemeteries, mortuaries, crematoriums, and telecommunications systems (including the provision of essential global, national, and local infrastructure for internet, computing services, Business infrastructure, communications, and web-based services).



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- m. *Essential Governmental Functions*. “Essential Governmental Functions” are determined by the governmental entity performing those functions in the County. Each governmental entity shall identify and designate appropriate Personnel, volunteers, or contractors to continue providing and carrying out any Essential Governmental Functions, including the hiring or retention of new personnel or contractors to perform such functions. Each governmental entity and its contractors must employ all necessary emergency protective measures to prevent, mitigate, respond to, and recover from the COVID-19 pandemic, and all Essential Governmental Functions must be performed in compliance with Social Distancing Requirements to the greatest extent feasible. All first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others who need to perform essential services are categorically exempt from this Order to the extent they are performing those essential services.

The County may operate facilities as needed to address health emergencies related to weather conditions or acts of nature, such as excessive heat or smoke from wildfires, even if those facilities are not otherwise allowed to open for their intended purposes under this Order, provided that the operation of such facilities must be done in compliance with any COVID-19 related guidance that the Health Officer may issue. Those facilities include, but are not limited to, cooling centers and smoke respite centers, and may be operated directly by the County or by other entities at the direction of or in coordination with the County or as otherwise provided for in such guidance.

Residences and Households.

- n. “Residences” and “Households” are defined as set forth in Section 3.b, above.

Social Distancing.

- o. *Social Distancing Requirements*. “Social Distancing Requirements” mean:
- i. Maintaining at least six-foot social distancing indoors from individuals who are not part of the same Household, except as otherwise allowed in this Order or a Health Officer industry directive. Outdoors, distancing is required and six feet is recommended, except as otherwise required in this Order or a Health Officer industry directive;
 - ii. Frequently washing hands with soap and water for at least 20 seconds, or using hand sanitizer that is recognized by the Centers for Disease Control and Prevention as effective in combatting COVID-19;
 - iii. Covering coughs and sneezes with a tissue or fabric or, if not possible, into the sleeve or elbow (but not into hands);



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- iv. Wearing a Face Covering when out in public, consistent with the orders or guidance of the Health Officer, including but not limited to Health Officer Order No. C19-12, including as that order may be amended in the future; and
 - v. Avoiding all non-essential interaction outside the Household when sick with any COVID-19 symptom listed at www.sfcdep.org/covid19symptoms that is new or not explained by another condition.
9. Incorporation of State and Local Emergency Proclamations and Federal and State Health Orders. This Order is issued in accordance with and incorporates by reference the emergency proclamations and other State and Federal orders and other pandemic-related statements listed in this Section. But this Order is based on all information included in it, and if any State or Federal order or other guidance is repealed, this Order remains in full effect.
- a. State and Local Emergency Proclamations. This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, the March 12, 2020 Executive Order (Executive Order N-25-20) issued by Governor Gavin Newsom, the February 25, 2020 Proclamation by the Mayor Declaring the Existence of a Local Emergency issued by Mayor London Breed, as supplemented on March 11, 2020, the March 6, 2020 Declaration of Local Health Emergency Regarding Novel Coronavirus 2019 (COVID-19) issued by the Health Officer, and guidance issued by the California Department of Public Health, as each of them have been and may be supplemented.
 - b. State Health Orders. This Order is also issued in light of the March 19, 2020 Order of the State Public Health Officer and the State Blueprint for a Safer Economy (the “State Order”), which set baseline statewide restrictions on non-residential Business activities, effective until further notice, the Governor’s March 19, 2020 Executive Order N-33-20 directing California residents to follow the State Order, and the July 13, 2020, August 28, 2020, November 19, 2020, and December 3, 2020 Orders of the State Public Health Officer. The May 4, 2020 Executive Order issued by Governor Newsom and May 7, 2020 Order of the State Public Health Officer permit certain Businesses to reopen if a local health officer believes the conditions in that jurisdictions warrant it, but expressly acknowledge the authority of local health officers to establish and implement public health measures within their respective jurisdictions that are more restrictive than those implemented by the State Public Health Officer. Also on November 16, 2020, the State Department of Public Health issued updated guidance for the use of Face Coverings, requiring all people in the State to wear Face Coverings when outside the home, subject to limited exceptions.
 - c. Federal Orders. This Order is also issued in light of federal orders, including the January 20, 2021 Executive Order on Protecting the Federal Workforce and Requiring Mask-Wearing, which requires all individuals in Federal buildings and on Federal land to wear Face Coverings, maintain physical distance, and adhere to other public health measures, and the February 2, 2021 Order of the United States Centers For Disease Control and Prevention, which requires use of a Face Covering on public



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transportation.

10. Obligation to Follow Stricter Requirements of Orders.

This Order adopts certain health and safety restrictions that are more stringent than those contained in the State Order. Without this tailored set of restrictions that further reduces the number of interactions between persons, scientific evidence indicates that the public health crisis in the County will worsen to the point at which it may overtake available health care resources within the County and increase the death rate. Where a conflict exists between this Order and any state public health order related to the COVID-19 pandemic, the most restrictive provision (i.e., the more protective of public health) controls. Consistent with California Health and Safety Code section 131080 and the Health Officer Practice Guide for Communicable Disease Control in California, except where the State Health Officer may issue an order expressly directed at this Order and based on a finding that a provision of this Order constitutes a menace to public health, any more restrictive measures in this Order continue to apply and control in this County. Also, to the extent any federal guidelines allow activities that are not allowed by this Order, this Order controls and those activities are not allowed.

11. Obligation to Follow Health Officer Directives and Mandatory State Guidance.

In addition to complying with all provisions of this Order, all individuals and entities, including all Businesses and governmental entities, must also follow any applicable directives issued by the County Health Officer (www.sfdph.org/directives) and any applicable “COVID-19 Industry Guidance” issued by the California Department of Public Health, available at <https://covid19.ca.gov/industry-guidance/>. To the extent that provisions in the directives of the County Health Officer and the guidance of the State Health Officer conflict, the more restrictive provisions (i.e., the more protective of public health) apply. In the event of a conflict between provisions of any previously-issued Health Officer directive and this Order (including the revised provisions of the Appendixes), this Order controls over the conflicting provisions of the Health Officer directive.

12. Enforcement.

Under Government Code sections 26602 and 41601 and Health and Safety Code section 101029, the Health Officer requests that the Sheriff and the Chief of Police in the County ensure compliance with and enforce this Order. The violation of any provision of this Order (including, without limitation, any Health Directives) constitutes an imminent threat and immediate menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both. The San Francisco Department of Public Health is authorized to respond to such public nuisances by issuing Notice(s) of Violation and ordering premises vacated and closed until the owner, tenant, or manager submits a written plan to eliminate all violations and the San Francisco Department of Public Health (“SFDPH”) finds that plan satisfactory. As a condition of allowing a business to



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reopen, DPH may impose additional restrictions and requirements on the business as DPH deems appropriate to reduce transmission risks, beyond those required by this Order and other applicable Health Orders and Directives.

If SFDPH finds that a premises, which has been permitted to reopen after being previously ordered to close, is again violating the terms of this Order (including, without limitation, any Health Directives), SFDPH may issue further Notice(s) of Violation and orders to vacate and close directing that the premises remain closed until both of the following conditions are satisfied: (1) the owner, tenant, or manager submits a written plan to eliminate all violations and SFDPH finds that plan satisfactory; and (2) at least two weeks have passed since the closure. Such Notice(s) of Violation and orders to vacate and close may be issued based on a written report made by any City employees writing the report within the scope of their duty. SFDPH must give notice of such orders to vacate and close to the Chief of Police or the Chief's designee to be executed and enforced by officers in the same manner as provided by San Francisco Health Code section 597.

13. Effective Date.

This Order becomes effective immediately upon issuance and will continue, as updated, to be in effect until it is rescinded, superseded, or amended in writing by the Health Officer.

14. Relation to Other Orders of the San Francisco Health Officer.

Effective as of the effective date and time in Section 13 above, this Order revises and replaces Order Number C19-07~~wv~~, issued ~~April 14, 2021, and updated April 15~~ May 6, 2021. This Order also extends Order Nos. C19-04 (imposing cleaning standards for residential hotels) and C19-11 (placing Laguna Honda Hospital and Rehabilitation Center under protective quarantine) without any further need to amend those orders, with those listed orders otherwise remaining in effect until the specific listed order or this Order is extended, rescinded, superseded, or amended in writing by the Health Officer. This Order does not prohibit amendment of those orders separately. This Order also does not alter the end date of any other Health Officer order or directive having its own end date or which continues indefinitely.

15. Copies.

The County must promptly provide copies of this Order as follows: (1) by posting on the Department of Public Health website (www.sfdph.org/healthorders); (2) by posting at City Hall, located at 1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102; and (3) by providing to any member of the public requesting a copy. Also, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public



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asking for a copy.

16. Severability.

If any provision of this Order or its application to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

IT IS SO ORDERED:

Susan Philip, MD, MPH,
Health Officer of the
City and County of San Francisco

Dated: May ~~6~~20, 2021

Attachments:

- Appendix A – Social Distancing Protocol for Businesses (revised May ~~6~~20, 2021)
- Appendix B – Construction Project Safety Protocol (revised April 14, 2021)
- Appendix C-1 – Additional Businesses (revised May ~~6~~20, 2021)
- Appendix C-2 – Additional Activities (revised May ~~6~~20, 2021)