



San Francisco is experiencing a rapid and significant surge of COVID-19 cases. Accordingly, beginning at 12:00 noon on November 29, 2020, and until there is a further order of the Health Officer, all retail establishments—including Essential Businesses, retail stores for good and services, and indoor shopping centers—except standalone grocery stores, must limit the number of people allowed inside the establishment to a maximum of 25% of the establishment’s capacity, subject to compliance with Social Distancing Requirements. Standalone grocery stores must limit the number of people allowed inside the establishment to a maximum of 50% of the establishment’s capacity, subject to compliance with Social Distancing Requirements. Further, under the State’s November 19, 2020 Limited Stay At Home Order, beginning at 10:00 p.m. on November 30, 2020, non-essential retail stores must close from 10:00 p.m. to 5:00 a.m. each day. Employees may commute to and from the retail establishment during these hours. To the extent of any conflict or inconsistency with any other provision of this directive or guidance, this requirement controls.

DIRECTIVE OF THE HEALTH OFFICER No. 2020-17

**DIRECTIVE OF THE HEALTH OFFICER OF
THE CITY AND COUNTY OF SAN FRANCISCO REGARDING REQUIRED BEST
PRACTICES FOR CERTAIN RETAIL BUSINESSES OFFERING IN-STORE
SHOPPING OR SERVICES**

(PUBLIC HEALTH DIRECTIVE)
DATE OF DIRECTIVE: June 13, 2020

By this Directive, the Health Officer of the City and County of San Francisco (the “Health Officer”) issues industry-specific direction that certain Additional Businesses providing goods and services described below must follow as part of the local response to the Coronavirus Disease 2019 (“COVID-19”) pandemic. This Directive constitutes industry-specific guidance as provided under Section 6 of Health Officer Order No. C19-07e issued on May 22, 2020, and updated on June 11, 2020 (the “Stay-Safe-At-Home Order”) and, unless otherwise defined below, initially capitalized terms used in this Directive have the same meaning given them in that order. This Directive goes into effect on June 15, 2020, and remains in effect until suspended, superseded, or amended by the Health Officer. This Directive has support in the bases and justifications set forth in the Stay-Safe-At-Home Order. As further provided below, this Directive automatically incorporates any revisions to the Stay-Safe-At-Home Order or other future orders issued by the Health Officer that supersede that order or reference this Directive. This Directive is intended to promote best practices as to Social Distancing Requirements and sanitation measures, helping prevent the transmission of COVID-19 and safeguard the health of workers, customers, and the community.

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER DIRECTS AS FOLLOWS:

- 1. This Directive applies to all owners, operators, managers, and supervisors of any Additional Businesses that the Stay-Safe-At-Home Order permits to be open to the public in the City and County of San Francisco (the “City”) and that provide:**



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- a) retail goods as described in subsection B(1) of Appendix C-1 of the Stay-Safe-At-Home Order (“Retail Good Providers”), or
 - b) services involving the pickup of goods or pets for care and generally do not require close contact with customers, as described in subsection B(4) of Appendix C-1 of the Stay-Safe-At-Home Order (“Retail Service Providers”), or
 - c) outdoor activity equipment rental for permissible outdoor recreational activities, as described in subsection B(5) of Appendix C-1 of the Stay-Safe-At-Home Order (“Retail Equipment Rental Providers”) (together with Retail Good Providers and Retail Service Providers, “Retail Businesses”).
2. Attached as Exhibit A to this Directive is a list of best practices that apply to Retail Businesses (the “Best Practices”). Each Retail Business must comply with all of the relevant requirements listed in the Best Practices.
 3. Each Retail Business must, before it begins to offer its customers in-store shopping and pickup of goods or services, create, adopt, and implement a written health and safety plan (a “Health and Safety Plan”). The Health and Safety Plan must be substantially in the form attached to this Directive as Exhibit B.
 4. Guidance from the Department of Public Health related to Retail Businesses offering in-store shopping is attached to this Directive as Exhibit C, and available at <http://www.sfdph.org/directives>.
 5. If an aspect, service, or operation of the Retail Business is also covered by another Health Officer directive (all of which are available at <http://www.sfdph.org/directives>), then the Retail Business must comply with all applicable directives, and it must complete all relevant Health and Safety Plan forms.
 6. Each Retail Business must (a) make the Health and Safety Plan available to a member of the public and Personnel on request, (b) provide a summary of the plan to all Personnel working on site or otherwise in the City in relation to its operations, and (c) post the plan at any storefront and at the entrance to any other physical location that the Retail Business operates within the City. Also, each Retail Business must provide a copy of the Health and Safety Plan and evidence of its implementation to any authority enforcing this Order upon demand.
 7. Each Retail Business subject to this Directive must provide items such as Face Coverings (as provided in Health Order No. C19-12b issued on May 28, 2020, and any future amendment to that order), hand sanitizer or handwashing stations, or both, and disinfectant and related supplies to Personnel and to the public, all as required by the Best Practices. If any such Retail Business is unable to provide these required items or otherwise fails to comply with required Best Practices or fails to abide by its Health and Safety Plan, then it must cease operating until it can fully comply and demonstrate its strict compliance. Further, as to any non-compliant operation, any such Retail Business is subject to immediate closure and the fines and other legal remedies described below, as a violation of the Stay-Safe-At-Home Order.



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8. For purposes of this Directive, “Personnel” includes all of the following people who provide goods or services associated with the Retail Business: 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 (such as farmers or others who sell at stalls in farmers’ markets); volunteers; and other individuals who regularly provide services onsite at the request of the Retail Business. “Personnel” includes “gig workers” who perform work via the business’s app or other online interface, if any.
9. This Directive and the attached Best Practices may be revised by the Health Officer, through revision of this Directive or another future directive or order, as conditions relating to COVID-19 require, in the discretion of the Health Officer. Each Retail Business must stay updated regarding any changes to the Stay-Safe-At-Home Order and this Directive by checking the Department of Public Health website (<https://www.sfdph.org/directives>) regularly.
10. Implementation of this Directive augments—but does not limit—the obligations of each Retail Business under the Stay-Safe-At-Home Order including, but not limited to, the obligation to prepare, post, and implement a Social Distancing Protocol under Section 6 and subsection 15.h of the Stay-Safe-At-Home Order. The Retail Business must follow these industry-specific Best Practices and update them as necessary for the duration of this Directive, including, without limitation, as this Directive is amended or extended in writing by the Health Officer and consistent with any extension of the Stay-Safe-At-Home Order, any other order that supersedes that order, and any Health Officer order that references this Directive.

This Directive is issued in furtherance of the purposes of the Stay-Safe-At-Home Order. Where a conflict exists between this Directive and any state, local, or federal public health order related to the COVID-19 pandemic, including, without limitation, the Social Distancing Protocol, the most restrictive provision controls. Failure to carry out this Directive is a violation of the Stay-Safe-At-Home Order, constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is a misdemeanor punishable by fine, imprisonment, or both.

Tomás J. Aragón, MD, DrPH,
Health Officer of the
City and County of San Francisco

Date: June 13, 2020