San Francisco, like the rest of the Bay Area and most of the State, is experiencing a large increase in positive COVID-19 cases and more recently a significant increase in hospitalizations.  Today (Saturday November 28) at noon  the State reassigned San Francisco to the most restrictive tier under the State’s Blueprint, the purple tier (tier 1), meaning there is widespread transmission of the virus.   Generally that means San Francisco must suspend and restrict many indoor businesses and activities, such as indoor dining (which is already suspended), indoor movie theaters, indoor museums, indoor gyms, and indoor services at houses of worship, and it also means most retail stores, except stand-alone grocery stores, and all shopping centers must reduce their capacity from 50% to 25%.  In response to the State’s reassignment, this afternoon the Health Officer issued an amendment to the Stay-Safer-At Home Order and related directives implementing those required changes.   The amended Order,  including a “redlined” copy marked to show the changes, together with the directives and associated guidelines, are attached.  Those attachments and this summary are public documents.

Businesses must implement the rollbacks in business and other activities required under the amendments to the Order by Sunday November 29 at noon (i.e., day one after the State’s reassignment to purple, consistent with the State mandate).  Also, in response to the State’s recent “limited stay at home order” restricting certain non-essential business operations and gatherings of individuals between 10 p.m. and 5 a.m. for counties that are assigned to the purple tier, the amendments to the Order impose those restrictions on businesses and individuals beginning at  10 p.m. on Monday November 30  (i.e., day two after the State’s reassignment to purple, consistent with the State mandate).  The hours restrictions under the State’s limited stay at home order continue until the earlier of (i) December 21 (unless the State extends its limited stay at home order) or (ii) San Francisco’s reassignment to a less restrictive tier (i.e. red, orange or yellow).  Here's a link to questions and answers the State has posted about its limited stay at home order:  <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/limited-stay-at-home-order-qa.aspx>.  Importantly, the State’s limited stay at home order does not restrict travel to and from work by essential workers, the operation of public transit, or the ability of individuals from a single household to go outside for a walk or to a pharmacy or to a restaurant to pick up take-out, between 10 p.m and 5 a.m.

If not mentioned in the summary of required rollbacks below, businesses and activities currently allowed under San Francisco’s Stay-Safer-At-Home Order can continue.  San Francisco’s local order can be more restrictive than the State order.  But this amendment to the Order does not impose any significant local restrictions that go beyond what the State requires, except in the limited instances noted below as to indoor classes for institutions of higher education and the total cap on the number of people in the outdoor roller and ice skating parks, and also except for an extension of the Department of Public Health ventilation requirements to businesses that are allowed to operate indoors and also serve members of the public indoors.  If conditions were to continue to worsen after San Francisco is in the purple tier, then the Health Officer would consider additional rollbacks, following this initial round required under the State order for purple.  Below is a summary of the rollbacks under this amendment to the Order:

Additional Businesses (Appendix C-1) – And, as to Retail, Essential Businesses As Well

* REDUCED CAPACITY.  Indoor Retail.  All retail stores, including shopping centers and essential businesses other than standalone grocery stores, are reduced from 50% capacity to 25%.
  + Standalone grocery stores can operate at 50% capacity, but other essential retail, such as pharmacies and hardware stores, must decrease to 25% capacity.
  + Reduced capacity to 25% includes low-contact retail services (like dog groomers and shoe repair shops).
  + Reduced capacity to 25% also includes equipment rental businesses (like bike rentals).
  + Under the State limited stay at home order, non-essential retail stores must close to the public between 10 p.m. and 5 a.m.
    - That limitation would not apply to essential retail such as grocery stores and pharmacies, which could remain open during those hours.
* SUSPENDED.  Indoor Dining.  Indoor dining must close but San Francisco already closed this before entering the red tier.
  + Outdoor dining and take-out are not affected and can remain open under the State order in purple, subject to existing local safety protocols.
  + On November 25 the State issued new guidance for temporary outdoor shelters to protect against the weather, including structures for outdoor dining.   The amendments to the Order incorporate this new guidance, which replaces the one roof, one wall requirements.   Consistent with the new State guidance, outdoor dining establishments can operate under a tent, canopy, or other sun shelter as long as no more than 50% of the structure’s perimeter has impermeable walls and the walls are non-adjacent or non-continuous and meet other requirements, allowing sufficient, unrestricted outdoor air movement resulting in cross-ventilation.  The new guidance is described further below (See the description under the heading [UPDATED] Temporary Shelters for Outdoor Business Operations.)
  + Under the State limited stay at home order, outdoor dining must close between 10 pm and 5 am.  That means the service must cease and patrons must have paid and left the dining establishment by 10 p.m., but the dining establishment can continue to provide delivery and take-out service.
  + Also, on November 25 the State updated its industry sector guidance for restaurants and bars, including restrictions under the four tiers.  That guidance is consistent with the requirements of the amended Order for dining establishments under the purple tier and can be found under the restaurants, wineries and bars tab at this link:  <https://covid19.ca.gov/industry-guidance/>.
* REDUCED CAPACITY.  Indoor Gyms.  Indoor gyms and fitness centers must close (are now at 10% capacity up to 50 people – the 50-person cap is a more restrictive local cap).
  + Limited indoor one-on-one personal training is allowed if the indoor gym or fitness center implements at least one of the required measures under the DPH guidance on ventilation and follows other safety requirements.  Based on recent State guidance relating to gym activities in the purple tier, only one trainer and one client are allowed inside the gym or fitness center at a time, they must maintain physical distancing and wear face coverings, and no one else may be in the indoor facility other than the one staff member (with distancing and wearing a face covering) to help monitor compliance with health and safety protocols or manage the facility, including maintaining security.
  + Outdoor gyms and fitness centers can continue, subject to existing local safety protocols.
    - Under the State limited stay at home order, outdoor gyms and fitness centers must close to the public between 10 p.m. and 5 a.m.
  + Outdoor fitness classes, with the existing local limit of 25 people and other existing protocols, can continue (again subject to the limited stay at home order, meaning they cannot occur between 10 p.m. and 5 a.m.).
* SUSPENDED.  Indoor Museums.  Indoor museums, zoos and aquariums must close (they are now at 25% capacity).
  + Outdoor museums, zoos and aquariums can remain open, subject to existing local safety protocols.
    - But even outdoors certain standalone attractions must close – see family entertainment centers below.
    - Outdoor museums, zoos and aquariums would be subject to the State’s limited stay at home order, and would need to close to the public between 10 p.m. and 5 a.m.
* SUSPENDED.  Indoor Movie Theaters.  Indoor movie theaters must close (they are now at 25% capacity up to 50 people, without concessions; the 50-person cap is a more restrictive local requirement)
  + Outdoor drive-in movies can continue with existing local capacity limits (i.e., 100 vehicles) and safety protocols, but they would be subject to the State’s limited stay at home order and would have to close to the public between 10 p.m. and 5 a.m.
* SUSPENDED IN PART.  Outdoor Family Entertainment Centers.   Standalone outdoor amusement attractions must close, including, for example, carousels, Ferris wheels,  train rides and bungee trampoline.
  + Outdoor playgrounds, outdoor skate parks, outdoor roller and ice rinks (at 25% capacity and with an additional local limitation of up to 25 people total at a time), outdoor batting cages, and outdoor mini-golf can remain open, subject to existing local safety protocols and also subject to the State’s limited stay at home order and would have to close to the public between 10 p.m. and 5 a.m.

Additional Activities (Appendix C-2)

* SUSPENDED.  Indoor Houses of Worship.   Indoor religious services and cultural ceremonies at houses of worship must cease.
  + Indoor individual prayer and counseling are still allowed with safety protocols (to be reinstated from the previous order before indoor services were re-opened).
  + Live streaming and broadcasting of services indoors still allowed with existing capacity limits and safety protocols.
  + Indoor funerals of up to 12 people are allowed in houses of worship as summarized further below.
  + Outdoor religious services still allowed up to the existing local limit of 200 people and subject to existing safety protocols.  But outdoor religious services would be subject to the State’s limited stay at home order and could not occur between 10 p.m. and 5 a.m.
* Youth Sports and Adult Recreation.  We are still awaiting issuance of State guidance that is likely to be tied to the tiers, to see what is allowed in purple and whether any changes to our local requirements particularly for indoor activities are required or appropriate.  It is likely (but we won’t know for sure until the State guidance issues) that for the purple tier only outdoor low contact sports such as golf, singles outdoor tennis and pickleball, outdoor swimming, outdoor ice and roller skating, outdoor fitness like yoga and tai chi, etc., will be allowed to continue.   Other than the suspension for indoor gyms and fitness centers and the hours restrictions under the limited stay at home order for allowed outdoor activities, these amendments to the Order do not make any changes to the health and safety restrictions and protocols for youth sports and adult recreation activities.

Schools

* TK-12 schools cannot open, if they aren’t already open, except for elementary schools as described below.
  + Pending Dr. Aragon’s confirmation with the State, TK-12 schools could open for outdoor instruction only, with prior approval of Health Officer of a health and safety plan.
* TK-6 schools can open with a waiver from the Health Officer (i.e., approved health and safety plan).
* TK-12 schools that are already open are not required to close under the State order.
* Indoor institutions of higher education and indoor vocational programs are not required to close and can continue in the purple tier under the State order.  But the Health Officer will impose a further local restriction on these indoor activities, particularly in light of TK-12 rules, so that there will be a pause on new indoor higher education and vocational programs except for classes for core essential services.  Classes for core essential services that may continue to open indoors despite the pause are classes that train students to provide essential functions or services relating to the protection of public health or safety or relating to essential governmental functions, and also cannot be held remotely and require specialized indoor settings.  Programs that are already open for indoor instruction can continue until the term for those classes ends.

Funerals

* Indoor funerals are allowed with up to 12 people total, with at least six foot distancing between members of different households and with face coverings.
  + Indoor funerals can be in houses of worship, funeral homes or other similar facilities.
  + A 12-person indoor funeral can be held at the same location in conjunction with an outdoor funeral with up to 200 people for the funeral for the same individual, subject to the safety protocols for each.   (By contrast, as was the case when San Francisco was in the red, orange and yellow tiers, once indoor services are allowed again with larger capacity after San Francisco moves to a less restrictive tier, an indoor funeral service would not be able to be held simultaneously with an outdoor funeral service at the same location for the same individual.

[UPDATED] Temporary Shelters for Outdoor Business Operations

* As mentioned above for outdoor dining, the amendments to the Order replace the one roof/one wall requirements for temporary outdoor shelters with the new more lenient requirements under the revised guidance the State issued on November 25.  The revised State guidance allows outdoor businesses to operate under a tent, canopy, or other sun shelter, “as long as no more than 50% of the structure’s perimeter has impermeable walls, allowing sufficient, unrestricted outdoor air movement resulting in cross-ventilation. Such walls must be non-adjacent or non-continuous. Of note, doors, windows and other portals do not make a wall “non-continuous.” Adjacent walls are walls that touch each other and form a corner.”  An impermeable wall is any material that can reasonably restrict aerosols from passing through, such as a fabric curtain and a tarp or plastic barrier.  By contrast a permeable wall is one that made of a material or design that does not significantly impede natural air flow, such as a lattice fence with widely separated slats or a coarse mesh, and that allows air to be able to flow across the length and width of the barrier.  In addition to the State requirements, the amended Order provides that temporary outdoor shelters must comply with any otther requirements or guidance issued by the San Francisco Department of Public Health; DPH will consider issuing additional guidance in the coming weeks.   Here’s a link to the State guidance:  <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Use-of-Temporary-Structures-for-Outdoor-Business-Operations.aspx>.
* The revised requirements for these temporary structures apply to outdoor dining establishments, outdoor gyms, outdoor museums, outdoor retail establishments, outdoor houses of worship, and all other outdoor businesses that are allowed to operate under the Order.

Ventilation

* DPH has issued ventilation guidelines,“Ventilation for Non-Healthcare Organizations During the COVID-19 Pandemic,” available online at <https://www.sfcdcp.org/COVID-Ventilation>.  That guidance describes ventilation strategies, including these measures**:** (1)all available windows and doors accessible to fresh outdoor air are kept open (doors and windows required to be kept closed for fire/life safety purposes are exempt; make sure open windows do not create falling hazards especially for children); (2) fully operational HVAC systems; and (3) portable air cleaners (e.g. air purifiers with HEPA filters) in each room that are appropriately sized for the room or area they are deployed in.
* The prior Order established three levels of ventilation requirements:  (1) all indoor businesses must review the DPH ventilation guidelines and implement the measures to the extent feasible; (2) certain businesses such as dining establishments with indoor dining (which has been suspended), indoor gyms (which are suspended in purple except for limited one-on-one personal training) and indoor personal care service businesses where face coverings can be removed, must post at the public entrance a placard indicating what ventilation measures have been implemented (or, if none, so indicate); and (3) certain businesses such as dining establishments with indoor dining (which has been suspended) and indoor personal care services where face coverings can be removed, must implement at least one of the required DPH ventilation measures.  Those three categories continue under the amendments to the Order.
* Under the amendments to the Order all businesses that continue to operate indoors and serve members of the public indoors (such as retail stores) are added to category 2 above and must post a placard at public entrances showing whether they have implemented any of the required DPH ventilation measures.  They need to implement the placard requirement as soon as possible but in any event within five business days after the amended order is issued.  Here is a link to the template for the placard:  [https://sf.gov/file/ventilation-checklist-poster](https://avanan.url-protection.com/v1/url?o=https%3A//sf.gov/file/ventilation-checklist-poster&g=Y2FkMTMxOTY1OGVhYWI2ZQ==&h=Njg4NWU2YTk1ZTI3NGYwNTAzMjczOWE4ZjIzNTE5YTU3YWY5Y2Y4MjBiM2EwMWI5MjMzY2M1OTE3YzQ5ZTQ3Yw==&p=YXAzOnNmY29uMjphdmFuYW46b2ZmaWNlMzY1X2VtYWlsc19lbWFpbDo0OGJkNzM2OTNlNDE4NGQwYTFiODhhZjg5NTgzYjE3Yjp2MQ==).
  + Even if these businesses do not implement any of the ventilation measures they can still remain open (to the extent allowed in the purple tier), subject to complying with the placard requirement and the general requirement to review the guidelines and implement the ventilation measures to the extent feasible.
  + The primary addition of businesses to category 2, after the suspensions under the amended Order are implemented, are retail stores – including essential retail like grocery stores and pharmacies - and shopping centers.
  + These category 2 requirements to post a placard also apply to privately run indoor childcare facilities and privately run indoor out-of-school-time program facilities.
* As mentioned above, indoor gyms offering limited one-on-one personal training under the purple tier fall into category 3 above, meaning that they must also implement at least one of the ventilation measures.

 Gatherings

* The amendments to the Order do not change the rules for outdoor gatherings other than the requirement that they not occur between 10 p.m. and 5 a.m. under the State’s limited stay at home order.  No private gatherings of more than one household were allowed indoors under the prior Order, even while San Francisco was in the red tier.  That restriction continues, and is consistent with the State order that prohibits such gatherings in the purple tier.
* Outdoor gatherings that may continue include:
  + Outdoor gatherings for religious services and cultural ceremonies, as well as political demonstrations, are allowed for up to 200 people, subject to safety protocols including distancing between households and face coverings, and to the State’s limited stay at home order.
  + Outdoor small gatherings without meals are allowed for up to three different households and not more 25 people, subject to safety protocols including distancing between households and face coverings, and to the State’s limited stay at home order.
  + Outdoor small meal gatherings are allowed for up to three different households and not more six people, subject to safety protocols including distancing between households and face coverings when not eating or drinking, and to the State’s limited stay at home order
  + Outdoor drive-in gatherings (for instance, drive in movies) are allowed for persons in up to 100 vehicles subject to safety protocols and to the State’s limited stay at home order.