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Enforcement of Public Health Order Related to Coronavirus (COVID-19)

The County of San Diego Public Health Officer has issued another **AMENDMENT** to the Public Health Order dated March 16, 2020.

The order includes the following five prohibitions:

Effective 12:00 a.m. on Thursday, March 19, 2020 and continuing until 11:59 p.m. on March 31, 2020, the following will be in effect for all jurisdictions within San Diego County:

1. All public or private events or convenings that bring together **10 or more people in a single room or single space at the same time** such as an auditorium, stadium, arena, theater, church, casino, conference room, meeting hall, cafeteria or any other indoor or outdoor space is prohibited.
2. All bars, adult entertainment establishments, and **other business establishments that serve alcohol shall close. All gyms and fitness centers shall close.**
3. All restaurants and other business establishments that serve food shall close all on-site dining. All food served shall be by delivery or through pick-up or drive thru. Social distancing shall be required for persons picking up food on premises.
4. All public or private schools, colleges, and universities shall not hold classes or other school activities where students gather on the school campus. Parents of school-aged minor children shall take steps to ensure said children are not participating in activities prohibited by the order and that social distancing requirements are practiced.

To the extent possible, daycare and childcare facilities shall operate under the following conditions: a) childcare must be carried out in stable groups of 10 or fewer ("stable means that the same 10 or fewer children are in the same group each day); b) children shall not change from one group to another; c) if more than one group of children is cared for at one facility, each group shall be in a separate room; d) groups shall not mix with each other. Childcare providers shall remain solely with one group of children.

5. Employees, contractors, or members of the public who do not perform treatment, maintenance, support or administrative tasks deemed essential to the healthcare mission of a long-term care facility or hospital are prohibited from entry into any hospital or long-term care facility. All essential personnel who show any potential signs or symptoms of COVID-19 shall be strictly prohibited from entry into hospitals or long-term care facilities.



The order does not prohibit:

1. Operations at airports, public transportation or other spaces where 10 or more persons may be in transit but able to practice social distancing. It also does not include essential businesses where many people are present but are able to practice social distancing.
2. Emergency shelters, homeless shelters, or other similar essential gatherings that are for the protection of public health and safety and where appropriate precautions are taken that follow federal, state, and local public health guidance regarding COVID-19.

Law Enforcement Authority:

Pursuant to [Health and Safety Code section 120175.5](#), the public health officer has directed the Sheriff's Department to take necessary measures to ensure compliance with the order and to disseminate the order to venues or locations within the County of San Diego where a large gathering may occur.

[Health and Safety Code section 101029](#) provides in pertinent part that "[t]he sheriff of each county, or city and county, may enforce within the county, or the city and county, all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease. Every peace officer of every political subdivision of the county, or city and county, may enforce within the area subject to his or her jurisdiction all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease."

[Government Code section 26602](#) provides that "[t]he sheriff may execute all orders of the local health officer issued for the purpose of preventing the spread of any contagious or communicable disease." [Section 41601](#) provides similar authority to a local police department.

Practical application:

Sheriff's Deputies should first provide notice to persons in violation of the health officer order and give them a reasonable opportunity to comply. **Be mindful that many people may not yet be aware of the often-changing rules, especially as they relate to the number of people at gatherings, and the types of businesses that are required to close.** If, after a reasonable opportunity, a person refuses to comply, deputies may issue a citation for a violation of [Health and Safety Code 120295](#). Health and Safety Code section 120295 makes it a misdemeanor to violate the orders of a local health officer.

While we fully expect the people in San Diego County to recognize the seriousness of this public health threat and we are hopeful no enforcement action is necessary, this information can be used in the event no other resolution can protect public safety. The Sheriff's goal is to reduce the spread of the disease and thereby protect public safety.

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