



County of Fresno

DEPARTMENT OF PUBLIC HEALTH

County of Fresno

Department of Public Health

ORDER OF THE HEALTH OFFICER

ALL BREWPUBS, BREWERIES, BARS, AND PUBS AND INDOOR OPERATIONS OF SPECIFIC INDUSTRIES UNTIL FURTHER NOTICE

EFFECTIVE DATE OF ORDER: July 2, 2020 @ 2:00 PM

AS DIRECTED BY THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH (CDPH) AND UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101030, 101040, 101085, AND 120175, TITLE 17 CALIFORNIA CODE OF REGULATIONS SECTION 2501, ARTICLE XI OF THE CALIFORNIA CONSTITUTION; CALIFORNIA GOVERNMENT CODE SECTIONS 8610, 8630, 8634, AND 8665; AND FRESNO COUNTY CODE SECTION 2.44.100, THE HEALTH OFFICER OF THE COUNTY OF FRESNO ("HEALTH OFFICER") ORDERS:

1. All brewpubs, breweries, bars, and pubs, shall close indoor and outdoor operations until those establishments are allowed to resume operation per State guidance and local permission. The CDPH Guidance on Bar Closures can be found at: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Bar-Closure-Guidance.aspx>.
2. All Dine-in restaurants that provide sit-down meals shall cease indoor operations, follow the dine-in restaurant guidance and should continue to encourage takeout and delivery service whenever possible. Bar areas within a dine-in restaurant shall close. For outdoor operations, the CDPH Guidance for Restaurants can be found at: <https://files.covid19.ca.gov/pdf/guidance-restaurants-bars.pdf>
3. All Family Entertainment Centers shall cease indoor operations. For outdoor operations, the CDPH Guidance on Safe Family Entertainment Center Operations can be found at: <https://files.covid19.ca.gov/pdf/guidance-family-entertainment.pdf>
4. All Movie Theaters shall cease indoor operations. The CDPH Guidance for movie theater operations can be found at: <https://files.covid19.ca.gov/pdf/guidance-family-entertainment.pdf>
5. All Museums and Zoos shall cease indoor operations. The CDPH guidance for Museums, Galleries, Zoos, and Aquariums can be found at: <https://files.covid19.ca.gov/pdf/guidance-zoos-museums.pdf>
6. All Cardrooms shall cease indoor operations. The CDPH Guidance for Cardrooms can be found at: <https://files.covid19.ca.gov/pdf/guidance-cardrooms-racetracks.pdf>

Promotion, preservation and protection of the community's health

1221 Fulton Street /P. O. Box 11867, Fresno, CA 93775

(559) 600-3200 • FAX (559) 600-7687

The County of Fresno is an Equal Employment Opportunity Employer

www.co.fresno.ca.us • www.fcdph.org

7. All wineries and wine tasting rooms shall cease indoor operations and comply with the required Guidance for tasting rooms at: <https://files.covid19.ca.gov/pdf/guidance-restaurants-bars.pdf>.
8. Venues that are currently authorized to provide off sale beer, wine, and spirits to be consumed off premises and do not offer sit-down, dine-in meals shall follow the guidance for retail operations and offer curbside sales only, until local and/or statewide rules allow additional retail activity.
9. Producers of beer, wine, and spirits shall follow the CDPH guidance for manufacturing operations found at: <https://files.covid19.ca.gov/pdf/guidance-manufacturing.pdf>.
10. Face masks must be worn while indoors at all gyms and fitness centers. The CDPH guidance on fitness facilities can be found at: <https://files.covid19.ca.gov/pdf/guidance-fitness.pdf>
11. This guidance is not intended for concert, performance, or entertainment venues. Those types of establishments shall remain closed until they are allowed to resume modified or full operation through a specific reopening order or guidance. Establishments that serve full meals must discontinue this type of entertainment until these types of activities are allowed to resume modified or full operation. All Guidance referenced in this Order can be found at: <https://covid19.ca.gov/industry-guidance/>.
12. The sectors at issue in this document are all high risk of transmission due to a number of features of the businesses and the behaviors that occur within them. These sectors, foundationally, are settings where groups convene and may mix with others for prolonged periods of time without appropriate protective equipment, such as a face covering. For example, it is difficult to consistently wear a face covering in a restaurant. Additionally, physical movement within the establishment, duration of time spent in the establishment, and the degree of social mixing among individuals and groups outside one's household are all significant in these sectors, which substantially elevates the risk of transmission even where face coverings can be worn.
13. Alcohol consumption slows brain activity, reduces inhibition, and impairs judgment, factors which contribute to reduced compliance with recommended core personal protective measures, such as the mandatory use of face coverings and maintaining six feet of distance from people outside of one's own household, making outdoor operations for brewpubs, breweries, bars, and pubs challenging, further creating opportunities for virus transmission and thus need for closure. Additionally, there is a growing body of evidence tracing large COVID-19 outbreaks in both urban and rural states, to indoor and outdoor operations of bars.
14. In the setting of an increasing body of evidence demonstrating that transmission is decreased when activities are conducted outside, and risk for exposure is increased when mixing beyond those with whom one lives, in an effort to mitigate to potential spread of COVID-19, the state is requiring that settings where patrons gather to be served or participate in the businesses' primary activity be moved outdoors. For more information on this order please see the State's official guidelines at: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Guidance-on-Closure-of-Sectors-in-Response-to-COVID-19.aspx>

15. This Order is issued as a result of the worldwide pandemic of COVID-19 disease, also known as “novel coronavirus,” which has infected over 10,000,000 individuals worldwide in 188 countries and is implicated in over 500,000 worldwide deaths, including over 5,000 cases and over 73 deaths of Fresno County residents.
16. This Order is issued based on evidence of increasing transmission of COVID-19 both within the County of Fresno and worldwide, scientific evidence regarding the most effective approach to slow transmission of communicable diseases generally and COVID-19 specifically, as well as best practices as currently known and available to protect the public from the risk of spread of or exposure to COVID-19.
17. This Order is intended to address the strain upon the health care system from the effects of the COVID-19 virus. Similarly, this Order is intended to reduce the likelihood of exposure to COVID-19, thereby slowing the spread of COVID-19 in communities worldwide.
18. This Order is issued in accordance with, and incorporates by reference, the: March 4, 2020 Proclamation of a State Emergency issued by Governor Gavin Newsom; the March 15, 2020 Declaration of Local Health Emergency based on an imminent and proximate threat to public health from the introduction of novel COVID-19 in Fresno County; the March 17, 2020 Resolution of the Board of Supervisors of the County of Fresno proclaiming the existence of a Local Emergency in the County of Fresno regarding COVID-19; the March 17, 2020 Resolution of the Board of Supervisors of the County of Fresno ratifying and extending the Declaration of Local Health Emergency due to COVID-19; Governor Newsom’s Executive Order N-33-20 of March 19, 2020 ordering all persons to stay at home to protect the health and well-being of all Californians and to establish consistency across the state in order to slow the spread of COVID-19; Governor Newsom’s Executive Order N-60-20 of May 4, 2020 and the State Public Health Officer’s Order of May 7, 2020, CDPH Guidance Letter dated July 1, 2020, and all subsequent orders.
19. This Order is made in accordance with all applicable State and Federal laws, including but not limited to: Health and Safety Code sections 101030, et seq.; Health and Safety Code sections 120100, et seq.; and Title 17 of the California Code of Regulations section 2501. More specifically, Health and Safety Code section 120175.5(b) which provides that all governmental entities in the county shall take necessary measures within the governmental entity's control to ensure compliance with this Order and to disseminate this Order to venues or locations within the entity's jurisdiction where gatherings may occur.
20. Violation of this Order is subject to fine, imprisonment, or both. (Penal Code section 19; Government Code sections 8665 and 25132; Health and Safety Code section 120295; Health and Safety Code Sections 101030, et seq.; Health and Safety Code Sections 120100, et. Seq.; and Title 17 of the California Code of Regulations Section 2501.
21. Any person who violates or refuses or willfully neglects to obey this regulation is subject to civil enforcement actions, including civil penalties of up to \$1,000 per violation per day, injunctive relief, and attorneys’ fees and costs, imprisonment, or both, pursuant to Government Code section 8665.

22. Copies of this Order shall promptly be (1) made available at the County of Fresno Department of Public Health office located at 1221 Fulton Street, Fresno, CA 93721; (2) posted on the County of Fresno Public Health Department's website; and (3) provided to any member of the public requesting a copy of this Order.

Rais Vohra MD

Rais Vohra MD,
Interim Health Officer

7/2/2020

Date