

## **SAFER AT HOME ORDER FOR CONTROL OF COVID-19**

Temporary Prohibition of All Events and Gatherings

Closure of Non-Essential Businesses and Areas

Closure of Public Trails, Trailheads, Beaches, Piers, Beach Bike Paths, and Beach Access Points

Closure of Public Basketball Courts, Tennis Courts, Volleyball Courts, Golf Courses, Dog

Parks, Playgrounds, Skate Parks, and Picnic Areas

REVISED ORDER ISSUED: March 28, 2020

**Please read this Order carefully. Violation of or failure to comply with this Order is a crime punishable by fine, imprisonment, or both. (Ca. Health & Safety Code § 120275)**

**Summary:** This Health Officer Order amends and restates the Order of the Long Beach Health Officer (Health Officer) issued on March 24, 2020, to control the spread of the Novel Coronavirus (COVID-19) within the City of Long Beach (City). This Revised Order is issued to include the temporary closure of all public beaches, public trails, and trailheads within the jurisdiction of the City. Further, this Order imposes limitations on, and extends the closure of, certain businesses required by the Health Officer's March 20, 2020 "Safer at Home" Order.

The City and its Department of Health and Human Services observed an unusually high volume of beach and trail users on March 21 and March 22, which seriously impeded the beach trail users' practice of safe and necessary social distancing measures (such as, avoiding crowds and maintaining distance of six (6) feet from others who are not household members or close contacts). This heavy amount of beach and trail use by numerous groups of people does not allow for safe social distancing, and therefore seriously impedes community efforts to stem the local transmission of COVID-19. Accordingly, this Order is necessary to both enforce social distancing measures and stem the spread of COVID-19 within the community.

For all Essential Businesses, the Health Officer orders those businesses to take the following infection control precautions:

1. Practice social distancing within the confined space by requiring individuals to be separated by six (6) feet;
2. Provide access to hand washing facilities with soap and water or hand sanitizer that contains at least 60% alcohol;
3. Post a sign in a conspicuous place at the public entry to the facility instructing members of the public to not attend if they are experiencing symptoms of respiratory illness, including fever or cough;
4. Adhere to communicable disease control recommendations provided by the Long Beach Department of Public Health and Human Services and the Center for Disease Control (CDC); and
5. Make every effort to adhere to Social Distancing Requirements with employees.

As a point of clarity, this Order does not prohibit any individual or household members from outdoor activities (including with pets), as an individual or as household members, such as hiking, walking, shopping at Essential Businesses, including grocery stores and restaurants offering delivery, drive thru, or carry out service, so long as all persons practice social distancing to the extent practicable.

Further, this Order directs the City Manager to designate and authorize appropriate employees of the City to issue Administrative Citations and levy civil fines and penalties to those individuals, businesses, and others who are in violation of this Order. This Order also directs the Water Department, in consultation with the City Attorney, to shut off water service to non-essential businesses operating in violation of the order, as appropriate.

The Health Officer will continue to monitor the rate of COVID-19 disease spread, the severity of the resulting illnesses and deaths caused, California Department of Public Health (CDPH) and Centers for Disease Control and Prevention (CDC) recommendations, and the effect of this Order. If needed, this Order may be extended, expanded, or otherwise modified to protect the public's health.

**UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE  
SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER OF THE CITY  
OF LONG BEACH ORDERS:**

1. Effective immediately on March 28, 2020 and continuing through April 19, 2020, all public and private group events and gatherings are prohibited anywhere within the City of Long Beach (City). All persons are to remain at their place of residence, except to travel to and from Essential Businesses, to work at or provide service to a Healthcare Operation or Essential Infrastructure, to engage in Essential Activities, provided that Social Distancing Requirements are practiced.
2. For Essential Businesses, the organizer or the owner, manager, or operator of an Essential Business shall:
  - a. Enforce social distancing measures by requiring individuals to be separated by at least six (6) feet from others, to the extent feasible. Persons who are household members, may stand or move together, but must be separated from others by a distance of at least six (6) feet.
  - b. Provide access to hand washing facilities with soap and water or with hand sanitizer that contains at least 60% alcohol.
  - c. Post a sign in a conspicuous place at all public entries to the facility that instructs members of the public to not enter if they are experiencing symptoms of respiratory illness, including fever or cough.
  - d. Make every effort to adhere to Social Distancing Requirements with employees, including, but not limited to, the following measures:
    - i. Allow employees to telecommute (i.e. work from home);

- ii. Stagger schedules of employees so less individuals occupy the place of business at any given time;
    - iii. Separate employees by at least six (6) feet;
    - iv. Allow teleconferencing or video conferencing for meetings; and
    - v. Limit meetings or gatherings of any sort, especially in locations where employees could interact or come in contact with any member of the public. This includes limiting or eliminating (i) employees from traveling in vehicles together and/or (ii) the need for employees to physically work in teams of two or more. If meetings or gatherings are absolutely necessary, Essential Businesses must maintain social distancing to the extent practicable.
  - e. Adhere to communicable disease control recommendations provided by the Long Beach Department of Health and Human Services and the Center for Disease Control, including guidance for cleaning and disinfecting the site. See guidance posted at <https://www.cdc.gov/coronavirus>.
3. Essential Businesses shall operate in accordance with all current local licenses or permits, including business licenses, health permits, and the like.
4. The Health Officer orders the immediate closure of the following types of commercial properties and businesses:
- a. Non-Essential Retail Businesses.
  - b. Indoor Malls and Indoor Shopping Centers, including all stores therein regardless whether they are Essential or Non-Essential Retail Businesses. As an exception, Essential Businesses that are part of an Indoor Mall or Indoor Shopping Center, but that are accessible to the public from the exterior of the Indoor Mall or Shopping Center may remain open. The interior of the Indoor Mall or Indoor Shopping Center shall remain closed to the public.
  - c. This Order does not require closure of Essential Businesses in Outdoor Malls and Shopping Centers. However, owners and operators of Outdoor Malls and Shopping Centers shall enforce social distancing measures among their visitors, as provided in Section 2.
  - d. Indoor or Outdoor Playgrounds for Children, except for those located within childcare centers.
  - e. Indoor and Outdoor Flea Markets and Swap Meets.
  - f. Additional types of commercial properties and businesses:
    - i. Bars and Nightclubs that do not serve food;
    - ii. Gyms and fitness centers, including, but not limited to, private gyms and

fitness centers located in multifamily housing complexes, such as, apartment buildings and condominiums;

- iii. Movie Theaters, Drive-In Theaters, Live Performance Theaters, Concert Halls, Arenas and Stadiums;
  - iv. Bowling Alleys and Arcades; and
  - v. Wineries, Breweries, and Tap Rooms that provide tastings.
5. Any business that has not been identified either as commercial property or business that must close in Section 3, or as an Essential Business, may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).
  6. Licensed Medical Cannabis Dispensaries approved by the City to deliver cannabis may provide curbside pickup service to medical patients under the following conditions:
    - a. Payment for cannabis and/or cannabis products must be made in advance of the curbside pickup.
    - b. Patients must submit proof of a valid government-issued identification and the patient's medical identification card prior to the curbside pickup.
    - c. Upon pickup, the medical dispensary must verify that the identification of the patient is the same person who ordered curbside pickup via the presentation of a valid government-issued identification.
    - d. Products must be delivered to patients in opaque packaging.
    - e. Uniformed and licensed security personnel must be present during all curbside pickup transactions.
    - f. All other local and State laws, regulations, and lawful orders are adhered to.
  7. The Health Officer strongly recommends that employers within the City support CDC recommend guidelines for handwashing by allowing employees sufficient time to regularly clean and/or wash their hands.
  8. Effective immediately on March 28, 2020 and continuing through May 1, 2020:
    - a. All public trails, trailheads, basketball courts, tennis courts, volleyball courts, golf courses, dog parks, playgrounds, skate parks, public park parking lots and picnic areas within the City are to be temporarily closed to the public, to limit the gathering of crowds of people at these sites to further stem the spread of COVID-19 among the Long Beach community; and
    - b. All public beaches, piers, public beach parking lots, beach bike paths that traverse the sanded portion of the beach, beach access points within the City are to be temporarily closed to the public to limit gathering of crowds of people on public beaches to further stem the spread of COVID-19 among the Long Beach community.

- c. Individuals may continue to use currently open and publicly available parking space, not prohibited by this Order, for passive recreational activities, while practicing Social Distancing Measures.

### REASONS FOR THE ORDER

9. This Order is based upon scientific evidence and best practices, as currently known and available, to protect members of the public from avoidable risk of serious illness and death resulting from the spread of COVID-19, as well as to protect the healthcare system from a surge of cases into its emergency rooms and hospitals. The Order supports the CDC's efforts to institute more stringent and necessary social distancing measures to reduce community transmission of COVID-19.
10. Existing community transmission of COVID-19 in the City presents a substantial and significant risk of harm to the health of residents. Currently, there is no vaccine available to protect against and no specific treatment for COVID-19. As of March 28, 2020, there have been at least 88 cases of COVID-19 and 1 death reported in the City of Long Beach, and 1804 cases of COVID-19 and 32 deaths reported in Los Angeles County. There remains a strong likelihood of a significant and increasing number of suspected cases of community transmission.
11. The virus that causes COVID-19 can be spread easily through person-to-person contact. This risk of transmission is increased when people are in close proximity. All gatherings and pose an increased risk for community transmission of COVID-19 and thus, are a substantial risk to public health.

As such, places where people gather, such as Public Beaches, Trails, Basketball Courts, Tennis Courts, Volleyball Courts, Golf Courses, Dog Parks, Playgrounds, Skate Parks, and Picnic Areas; Indoor Malls and Shopping Centers; Swap Meets and Flea Markets; Children's Playgrounds; and Non-Essential Retail Businesses, provide significant opportunities for patrons or groups of patrons to have close contact with each other. Characteristics of these gatherings that are likely to exacerbate the spread of COVID-19 include, without limitation: (a) that these gatherings and businesses will attract people from throughout the City and county when there is widespread COVID-19 community transmission, (b) the prolonged time period during which many people are in close proximity at these locations, (c) the difficulty in tracing and controlling additional exposures when large numbers of people visit these places, and (d) visitors may be unknowingly infected with COVID-19 and may not follow adequate hygienic and social distancing practices.

12. In the absence of a specific immunization or treatment for COVID-19, social distancing is essential to preventing this disease. Increasing social distancing and prohibiting events and gatherings is intended to slow transmission of COVID-19. Accordingly, to reduce the community transmission of COVID-19, the Health Officer has ordered the temporary prohibition of all events and gatherings and the closure of commercial properties and businesses, as described in Section 3 of this Order.

### DEFINITIONS

For Purposes of this Order, the following definitions shall apply:

13. For purposes of this Order, "Essential Activities" shall include travel for the purpose of engaging any Essential Activity. Individuals may leave their residences only to perform the following "Essential Activities":
  - a. To engage in activities or perform tasks essential to an their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, obtaining medical supplies or medication; visiting a health care or veterinary care professional; providing care for minors, the elderly, dependents, persons with disabilities, or other vulnerable persons; or providing care for pets.
  - b. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, to obtain supplies they need to work from home; to obtaining grocery items for one's household or for delivery to others; or to obtain any products necessary to maintain the safety, sanitation, and essential operation of residences.
  - c. To engage in outdoor activity (including outdoor activities with pets), provided individuals comply with Social Distancing Requirements as defined in this Order, such as, walking, cycling, hiking, or running.
  - d. To engage in legally mandated governmental purposes, such as, access to court, social, and administrative services or complying with an order of law enforcement or court.
  - e. To perform work providing essential products and services at an Essential Business, at a Healthcare Operation, or at a business identified as part of Essential Infrastructure, or to otherwise carry out activities specifically permitted in this Order.
14. "Indoor Malls and Shopping Centers" are defined as a building with seven (7) or more "sales or retail establishments" with adjoining indoor space.
15. "Outdoor Malls and Shopping Centers" are defined as a series of buildings on a common site, either under common ownership or common control or developed together, with seven (7) or more "sales or retail establishments."
16. "Non-Essential Retail Businesses" are defined as retail establishments that provide goods or services to the public that do not come within the definition of Essential Businesses set forth in Section 14 of this Order.
17. "Essential Businesses" shall refer to those establishments whose primary business, per their City-issued business license is any of the following:
  - a. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, warehouse stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruit and vegetables, pet supply, water, fresh meats, fish, and poultry, and any other business where the primary function of the business is to sell household consumer products necessary to maintain the safety, sanitation, and essential operation of residences. This includes stores that sell groceries and sell other

- non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
- b. Food processors, confectioners, food packagers, food testing labs that are not open to the public, and food cultivation, including farming, livestock, and fishing;
  - c. Organizations and businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals (including gang prevention and intervention, domestic violence, and homeless service agencies);
  - d. Newspapers, television, radio, magazine, podcast and other journalism activities;
  - e. Gas stations, auto-supply, mobile auto-repair operations, auto repair shops (including, without limitation, auto repair shops adjacent to or otherwise in connection with a retail or used auto dealership), bicycle repair shops, and related facilities;
  - f. Banks, credit unions, financial institutions, and insurance companies;
  - g. Hardware stores, garden nurseries, building supply stores;
  - h. Plumbers, electricians, professional pest control, custodial/janitorial workers, handyman services, funeral home workers and morticians, moving services, HVAC installers, carpenters, vegetation service, tree maintenance, landscapers, gardeners, property managers, private security personnel and other service providers who provide services to maintain the safety, sanitation, and essential operation to properties and other Essential Businesses;
  - i. Businesses providing mailing and shipping services, including post office boxes;
  - j. Educational institutions (including public and private K-12 schools, colleges, and universities) for purposes of facilitating distance learning, providing meals for pick-up, or performing essential functions, provided that Social Distancing Requirements are practiced to the extent feasible;
  - k. Laundromats, dry cleaners, and laundry service providers;
  - l. Restaurants and other food facilities that prepare and serve food for delivery, drive-thru, or carry out. Indoor and outdoor table dining is not permitted. Cafeterias, commissaries, and restaurants located within hospitals, nursing homes, or other licensed health care facilities may provide dine-in service, as long as social distancing is practiced pursuant to Section 2 of this Order;
  - m. Businesses that supply office or computer products needed by people who work from home;
  - n. Businesses that supply Essential Businesses, Healthcare Operations, and Essential Infrastructure with the support or supplies necessary to operate;
  - o. Businesses that ship, truck, provide logistical support or deliver groceries, food, goods, or services directly to residences, Essential Businesses, Healthcare Operations, and Essential Infrastructure;

- p. Airlines, taxis, ride sharing services, and other private transportation providers providing transportation services necessary for activities of daily living and other purposes expressly authorized in this Order;
- q. Businesses that provide manufacture and provide service for Essential Infrastructure and Healthcare Operations;
- r. Home-based care for seniors, adults, people with a disability, or children;
- s. Residential facilities and shelters for seniors, adults, people with a disability, and children;
- t. Professional services, such as legal, payroll, or accounting services, when necessary to assist in compliance with legally mandated activities, and the permitting, inspection, construction, transfer and recording of ownership of housing, including residential and commercial real estate and anything incidental thereto;
- u. Military/Defense Contractors/FFRDC (Federally Funded Research and Development Centers). For purposes of this Order, essential personnel may leave their residence to provide any service or perform any work deemed essential for national security including, but not limited to defense, intelligence and aerospace development and manufacturing for the Department of Defense, the Intelligence Community, and NASA and other federal government, and or United States Government departments and agencies. Essential personnel include prime, sub-primes, and supplier contractor employees, at both the prime contract level and any supplier levels at any tier, working on federal United States Government contracts such as contracts rated under the Defense Priorities and Allocations System (DPAS) and contracts for national intelligence and national security requirements.;
- v. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions:
  - i. Childcare must be carried out in stable groups of 12 or fewer ("stable" means the same twelve (12) or fewer children are in the same group each day);
  - ii. Children shall not change from one group to another;
  - iii. If more than one (1) group of children is cared for at one (1) facility, each group shall be in a separate room. Groups shall not mix with each other; and
  - iv. Childcare providers shall remain solely with one group of children.
- w. Hotels, motels, shared rental units, and similar facilities.
- x. Businesses that provide death care services, limited to the removal, care, and preparation, and burial of deceased persons or animals.
- y. Construction workers who support the construction, operation, inspection, and maintenance of construction sites and construction projects (including housing construction).

18. "Social Distancing Requirements" means maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve, elbow, or tissue, not hands), regularly cleaning high-touch surfaces, and not shaking hands.
19. This Order is intended to deter the spread of COVID-19 by preventing people from being in unnecessary close contact. Certain activities are essential to the functioning of the City and the well-being of our residents and must continue.
20. This Order does not apply to employees of government agencies working in the course and scope of their public service employment.
21. This Order does not prohibit persons from leaving their residences to perform any work necessary or provide any services to or obtain services from the following Essential Infrastructure and Healthcare Operations:
  - a. Healthcare Operations including, but not limited to: hospitals, clinics, laboratories, dentists, pharmacies, physical therapists, and chiropractors; pharmaceutical and biotechnology companies; other licensed healthcare facilities, healthcare suppliers, home healthcare service providers, mental or behavioral health providers; alcohol and drug treatment providers; medical cannabis dispensaries with all required state and local licenses; medical or scientific research companies or any related and/or ancillary healthcare services; manufacturers, distributors and servicers of medical devices, diagnostics, and equipment; veterinary care; and all healthcare provided to animals. This Order does not apply to businesses that provide support, supplies, or services deemed essential as part of the supply chain to Healthcare Operations. This exemption shall be broadly construed to avoid any impact to the delivery of healthcare, broadly defined. Healthcare Operations does not include fitness and exercise gyms and similar exercise or training facilities.
  - b. Essential Infrastructure, including, but not limited to: public health, public works construction; construction of commercial, office, and institutional buildings; construction of housing; airport operations; port operations; water; sewer; gas; electrical; oil refining and extraction; road and highways; public transportation; solid waste collection and removal; emergency services; flood control and watershed protection; internet and telecommunications systems (including the provision of essential global, national, local infrastructure for computing services, business infrastructure, communications, and web-based services); and manufacturing and distribution companies deemed essential as part of the Essential Infrastructure supply chain, provided that they carry out those services or that work in compliance with Social Distancing Requirements, to the extent practicable.

#### Additional Terms

22. This Order does not, in any way, restrict: (a) first responder access to the site(s) named in this Order during an emergency or (b) local, state or federal officers,

investigators, or medical or law enforcement personnel from carrying out their lawful duties at the site(s) named in this Order.

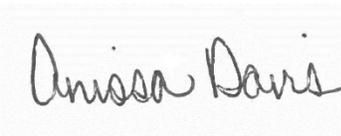
23. The entities subject to this Order that are not required to close may otherwise remain open for business and perform essential functions and operations during the duration of this Order.
24. This Order does not, in any way, prohibit fishing from the shore, in accordance with Cal. Const., art. I, § 25, nor does it prohibit an individual from traversing the sand to enter the ocean to launch a boat, kayak, and the like.
25. This Order does not, in any way, prohibit individuals from utilize walking paths, both paved any unpaved, located within public parks for the purpose of engaging in outdoor Essential Activities provided that Social Distancing Measures are followed.
26. The City shall promptly provide copies of this Order by: (a) posting it on the Long Beach's Department of Health and Human Services website (<http://www.longbeach.gov/health/>), (b) posting it at the Civic Center located at 411 W. Ocean Blvd., Long Beach, CA 90802, (c) providing it to any member of the public requesting a copy, (d) issuing a press release to publicize the Order throughout the City, and (e) by serving via email on large facilities known to the Health Officer that are likely to be subject to this Order (but service via email is not required for compliance). 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 requesting a copy.
  - a. 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 requesting a copy.
  - b. Because guidance may change, the owner, manager, or operator of any facility that is subject to this Order is ordered to consult the Long Beach Department of Health and Human Services' website (<http://www.longbeach.gov/health/>) daily to identify any modifications to the Order and is required to comply with any updates until the Order is terminated.
27. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
28. 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 and the and the March 4, 2020 declarations of a local and public health emergency issued by the City Council of Long Beach, the Proclamation of Local Emergency by the City Manager, and the Declaration of Local Health Emergency by the Health Officer, respectively, and guidance issued by the California Department of Public Health, as each of them have been and may be supplemented.

29. The Water Department, in consultation with the City Attorney, is permitted to shut off water service to Non-Essential Businesses operating in violation of the order, as appropriate.
30. The violation of any provision of this Order constitutes an imminent threat and creates an immediate menace to public health, safety and welfare. To protect the public's health, the Health Officer of the City of Long Beach may take additional action(s) for failure to comply with this Order. Violation of this Order is a misdemeanor punishable by imprisonment, fine or both under California Health and Section Code Section 120275 et seq and Chapter 1.32 of the Long Beach Municipal Code.

Pursuant to Long Beach City Charter Section 109, Sections 8634 and 41601 of the California Government Code; Sections 101040 and 120175 of the California Health and Safety Code; and Chapters 8.08 and 8.26 of the Long Beach Municipal Code, these Orders and Directives as issued by the Health Officer shall be enforceable by the Chief of Police of the City of Long Beach to ensure compliance with and enforcement of this Order and the Directives set forth herein.

Further, and in addition to the criminal penalties set forth herein, these Orders and Directives as issued by the Health Officer shall be enforceable by the City Manager of the City of Long Beach. For the duration of the declared health emergency, the City Manager is permitted to designate and authorize appropriate employees of the City to issue Administrative Citations and levy civil fines and penalties to those individuals, businesses, and others who are in violation of the Orders and Directives contained herein in accordance with the provisions of Chapter 9.65 of the Long Beach Municipal Code.

IT IS SO ORDERED:

A handwritten signature in cursive script that reads "Anissa Davis". The signature is written in black ink on a light-colored background.

Anissa Davis, MD, DrPH,  
Health Officer, City of Long Beach  
Date: March 28, 2020