



ORDER OF THE HEALTH OFFICER No. c19-2

DATE ORDER ISSUED: March 12, 2020

Please read this Order carefully. Violation of or failure to comply with this Order constitutes a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code §§ 120295, *et seq.*)

The virus that causes Coronavirus 2019 Disease (“COVID-19”) spreads easily from person to person and may result in serious illness or death, and it is essential that the spread of the virus be slowed to safeguard the public and protect healthcare resources considering the influx of new patients. That is why it is necessary to impose the implementation of limitations on large gatherings to prevent initial exposure and secondary transmission to our most vulnerable populations (people over 60 years old or those with chronic health conditions). The Order prohibits all public or private gatherings, as defined below, in San Mateo County (“County”) beginning March 13, 2020, and continuing through April 3, 2020, unless rescinded earlier by further action of the Health Officer.

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER OF THE COUNTY OF SAN MATEO (THE “HEALTH OFFICER”) ORDERS:

1. Effective as of 11:59 p.m. on Friday, March 13, 2020, and continuing until 11:59 p.m. on April 3, 2020, public or private Mass Gatherings, defined below, are hereby prohibited in the County.
2. This Order comes after the release of substantial guidance from the County Health Officer, the Centers of Disease Control and Prevention (“CDC”) (including “Implementation of Mitigation Strategies for Communities with Local COVID-19 Transmission” available online at www.cdc.gov/coronavirus/2019-ncov/downloads/community-mitigation-strategy.pdf), the California Department of Public Health (“CDPH”) (including the March 11, 2020, updated guidance recommending gatherings with 250 people or more should be rescheduled or canceled and smaller gatherings can proceed if organizers implement 6 feet of social distancing, available at <https://www.gov.ca.gov/2020/03/11/california-public-health-experts-mass-gatherings-should-be-postponed-or-canceled-statewide-to-slow-the-spread-of-covid-19/>) and other public health officials around the world.
3. This Order is issued based on scientific evidence and best practices as currently known and available to prevent the spread of the virus that causes COVID-19 specifically, as well as best practices as currently known and available to protect vulnerable members of the public from avoidable risk of serious illness or death resulting from exposure to COVID-19. The age, condition and health of a significant portion of the population of the County places it at risk for serious health complications, including death, from COVID-19. Although most individuals who contract COVID-19 do not become seriously ill, persons





with mild symptoms and asymptomatic persons with COVID-19 may place other vulnerable members of the public at significant risk. This is especially true as some individuals who contract the COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware they carry the virus. Because even persons without symptoms can transmit the COVID-19 virus, and because evidence shows the disease is easily spread, large gatherings can result in preventable transmission of the virus.

4. This Order is issued in light of the existence of 20 cases of COVID-19 in the County, over 100 cases in the surrounding Bay Area, and an substantial and increasing number of assumed cases of community transmission. Widespread testing for COVID-19 is not yet available but is expected to increase in the coming days. This Order is necessary to slow the rate of spread of COVID-19 while further data becomes available.
5. This Order is issued to prevent circumstances often present in Mass Gatherings that may exacerbate the spread of COVID-19, such as: (a) the increased likelihood that Mass Gatherings will attract people from a broad geographic area; (b) the prolonged time period in which large numbers of people are in close proximity; (c) the difficulty in tracing exposure when large numbers of people attend a single event; and (d) the inability to ensure that attendees follow adequate hygienic and social distancing practices.
6. This Order is issued in accordance with, and incorporates by reference, the March 12, 2020 State of California Executive Order N-25-20, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, the March 3, 2020 Proclamation by the Director of Emergency Services Declaring the Existence of a Local Emergency in the County, the March 3, 2020 Declaration of Local Health Emergency Regarding Novel Coronavirus 2019 (COVID-19) issued by the Health Officer, the March 10, 2020 Resolution of the Board of Supervisors of the County of San Mateo Ratifying and Extending the Declaration of a Local Health Emergency.
7. The Health Officer will continue to assess the quickly evolving situation and may, at any time or from time to time, modify or extend this Order, or issue additional orders, related to COVID-19.
8. Definitions:
 - a. For purposes of this Order, a “Mass Gathering” is any event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together 250 or more persons at the same time in a single room or other single confined or enclosed space, such as, by way of example and without limitation, an auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, a yacht, ship or boat docked at any port, or any other confined indoor or confined outdoor space.
 - b. A “Mass Gathering” includes events in confined outdoor spaces, which means an outdoor space that (i) is enclosed by a fence, physical barrier, or other structure and (ii) where people are present, and they are within arm’s length of one another for extended periods.
 - c. For the purpose of clarity, a “Mass Gathering” does not include normal operations at the following locations provided they are large enough to accommodate 250 or more persons



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maintaining 6 feet of social distance at all times: (i) airports; (ii) places of worship for purposes of conducting religious services or ceremonies; (iii) museums; (iv) office space, hotels, or residential buildings; (v) grocery stores, shopping malls and other retail establishments; (vi) spaces where people may be in transit or waiting for transit; and (vii) hospitals and medical facilities. For purposes of this Order, the “normal operation” of a hotel is to temporarily house people in a hotel rooms, not the hosting of events, and events taking place. For any gathering covered in subsection c., the Health Officer strongly encourages social distancing and hygiene practices as mentioned in the March 10, 2020 Statement (available at <https://www.smchealth.org/coronavirus>), including staying 6 feet away from all other people and washing your hands in accordance with CDC guidelines.

- d. To the extent the Sheriff or any chief of police has any questions regarding the definition of a “Mass Gathering” under this Order, the Health Officer hereby delegates authority to the County Counsel to answer such questions in writing.
9. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code section 101029, the Health Officer requests that the San Mateo County Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order.
10. This Order shall become effective at 11:59 p.m. on March 13, 2020 and will continue to be in effect until 11:59 p.m. on April 3, 2020, or until it is earlier rescinded, superseded, or amended in writing by the Health Officer or by the State Public Health Officer.
11. Copies of this Order shall promptly be: (1) made available at the County Government Center at 400 County Center, Redwood City, CA 94063; (2) posted on the County Public Health Department website (available at <https://www.smchealth.org/>); and (3) provided to any member of the public requesting a copy of this Order. In addition, the owner, manager, or operator of any facility that is likely impacted by this Order is strongly encouraged to post a copy of this Order onsite in a place accessible to the public during regular business hours, as well as on its website.
12. 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.

IT IS SO ORDERED:

Scott Morrow MD, MPH,
Health Officer
County of San Mateo

Date: March 12, 2020