



INYO COUNTY HEALTH & HUMAN SERVICES PUBLIC HEALTH BRIEF

James Richardson, M.D.
Public Health Officer, Inyo County

INYO COUNTY PUBLIC HEALTH OFFICER ORDER **PROHIBITION ON CERTAIN SHORT-TERM LODGING RENTALS**

REVISED ORDER ISSUED: APRIL 23, 2020

THIS REVISED HEALTH ORDER AMENDS AND SUPERSEDES THE ORDERS AND
ADDENDUMS OF THE HEALTH ORDER ISSUED ON MARCH 31, 2020.

Please read this order carefully. Violation or failure to comply with this Order is a crime punishable by fine, imprisonment or both (Cal. Health & Safety Code § 120295).

WHEREAS, a state of emergency has been declared by the State of California, and both a local health emergency and local emergency has been declared in the County of Inyo (the “County”) in response to the COVID-19 pandemic; and

WHEREAS, in the County as well as throughout California and the nation, there are insufficient quantities of critical healthcare infrastructure, including hospital beds, ventilators and workers, capable of adequately treating mass numbers of patients at a single time – should the virus spread unchecked; and

WHEREAS, in direct response to that lack of healthcare infrastructure, governments across the nation are taking actions to slow the spread of COVID-19 in order to “flatten the curve” of infection and reduce the numbers of individuals infected at any one time by minimizing situations where the virus can spread; and

WHEREAS, in furtherance of this effort, on March 19, 2020, Governor Newsom issued Executive Order N-33-20, requiring all persons residing in the State to remain in their homes or places of residence, except as needed to maintain the continuity of operations for critical infrastructure (the “Stay-at-Home Order”); and

WHEREAS, also on March 19, 2020, the State Public Health Officer ordered all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors, as described in the Department of Homeland Security’s document entitled, “Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response.”; and

WHEREAS, on March 20, 2020, the State Public Health Officer designated a list of “Essential Critical Infrastructure Workers” to help state, local, tribal, and industry partners as they work to protect communities, while ensuring continuity of functions critical to public health and safety, as described in the Department of Homeland Security’s document entitled, “Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response; and

WHEREAS, Exhibit C further lists specific jobs and functions within those critical infrastructure sectors that are deemed “necessary.” This includes hotels and lodging activities related to isolating or quarantining persons infected with or exposed to the COVID-19 virus, or housing workers performing jobs deemed essential to maintaining critical infrastructure; and

WHEREAS, the County Health Officer finds that the use of short-term lodging for non-COVID-19 purposes is a direct violation of the Governor's Stay-at-Home Order as it: (1) encourages an influx of persons into the County, thus increasing the potential for the spread of the illness and adding strain upon the County health care system; and (2) is likely to impair efforts at mitigating the spread of the illness both within the County and statewide; and

WHEREAS, the use of short-term lodging for non-COVID-19 purposes is a particularly acute problem in Inyo County. Inyo County is popular tourist destination known for its unspoiled wilderness, mountain scenery, and low population density. This creates a concern that residents of more urban areas of California may seek out Inyo County as a place to temporarily "escape" from COVID-19 or quarantine orders; and

WHEREAS, the County Health Officer wishes to provide clarity to businesses, renters, and property owners in the short-term lodging sector of the County regarding operations under the Governor's Stay-At-Home Order and therefore issues the following:

NOW, THEREFORE, UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175 AND CALIFORNIA CODE OF REGULATIONS TITLE 17, SECTION 2501, THE HEALTH OFFICER OF THE COUNTY OF INYO ("HEALTH OFFICER") ORDERS as follows:

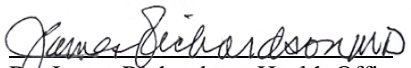
1. Short-term lodging facilities (including short-term rentals, vacation rentals, timeshares, hotels, motels, campgrounds, RV parks, and any other facility or property offering accommodation to renters for less than 30 days) within the County of Inyo may provide lodging only for the following purposes:
 - a. To serve as short-term lodging facilities, for Inyo County residents, which are used for the following COVID-19 mitigation and containment measures:
 - i. Lodging to protect the homeless population;
 - ii. Lodging for persons who have been displaced and cannot return to their residence because there is a person residing at the residence that must isolate or quarantine or is at a higher risk of severe illness; and
 - iii. Lodging for persons who need to isolate or quarantine.
 - iv. Subsections (ii) and (iii) above are not intended to include and shall not be interpreted to include any person who is domiciled outside of Inyo County, who has voluntarily left his or her primary residence, and who has chosen to isolate or quarantine him or herself in Inyo County.
 - b. To serve as short-term lodging facilities to house essential workers performing functions in Inyo County that are essential to maintain the continuity of operations for critical infrastructure, as described in the Department of Homeland Security's document entitled, "Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response."
 - c. To serve as short-term lodging facilities for a traveler who is passing through Inyo County and who experiences an unplanned and unexpected emergency, such as a car breakdown or severe weather event, that impedes his or her ability to travel. In no event shall a short-term lodging facility continue to rent to a traveler after the conclusion of the immediate emergency.

- d. To serve as a short-term lodging facility for a traveler who is visiting a family member (spouse, child, parent, grandparent, grandchild, aunt, uncle, or cousin) who is hospitalized in Inyo County.
 - e. To serve as a short-term lodging facility for Inyo County residents seeking escape from domestic violence.
 - f. To serve as a short-term lodging facility for Inyo County residents who, for medical, psychological, professional, or respite purposes, cannot shelter at their residence.
2. In the event of a question or uncertainty as to whether a particular short-term lodging use falls within the purposes listed above, the operator of a short-term lodging facility may seek a written determination from the Health Officer as to whether the use is authorized. Additionally, the Health Officer may, in his or her sole discretion, permit individual exceptions to this policy. All individual exceptions will be reviewed on a case-by-case basis and must be approved by the Health Officer before a short-term lodging facility may accept a traveler.
3. This order has been in effect since March 31, 2020 and will remain in effect until June 1, 2020, or until the Governor's Executive Order N-33-20 is revised in a manner that permits short-term lodging in Inyo County or fully rescinded, whichever date is latest.
4. This Order is issued based on evidence of increasing transmission of COVID-19 both within the County of Inyo 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.
5. This Order is intended to reduce the likelihood of exposure to COVID-19, thereby slowing the spread of COVID-19 in communities worldwide. As the presence of individuals increases, the difficulty and magnitude of tracing individuals who may have been exposed to a case rises exponentially. Short-term lodging facilities which are utilized for housing a frequently rotating clientele will likely impair efforts at mitigating the spread of the illness.
6. This Order is issued in accordance with, and incorporates by reference, the following:
 - a. The March 4, 2020 Proclamation of a State Emergency issued by Governor Gavin Newsom
 - b. The guidance issued on March 16, 2020 by the California Department of Public Health recommending that all gatherings should be postponed or canceled
 - c. The March 16, 2020 declaration by the Inyo County Health Officer of a local health emergency
 - d. The March 17, 2020 declaration by the Inyo County Board of Supervisors of a local emergency
 - e. The March 17, 2020 ratification by the Inyo County of the March 16 declaration of a local health emergency

- f. Governor Gavin Newsom's Executive Order N-25-20 of March 12, 2020 preparing the State to commandeer hotels and other places of temporary residence, medical facilities, and other facilities that are suitable as places of temporary residence or medical facilities as necessary for quarantining, isolating or treating individuals who test positive for COVID-19 or who have had a high-risk exposure and are thought to be in the incubation period
 - g. 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
 - h. The March 20, 2020 order of the Inyo County Health Officer temporarily prohibiting non-essential public gatherings of any size, requiring social distancing, and closing certain businesses
 - i. The March 27, 2020 order of the Inyo County Health Officer mandating quarantine periods for anyone diagnosed with or potentially exposed to COVID-19
7. 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.
 8. To the extent necessary, pursuant to Government Code sections 26602 and 41601 and Health and Safety Code section 101029, the Health Officer requests that the Sheriff and all Chiefs of Police in the County ensure compliance with and enforcement of this Order.

Any person who wishes to discuss this may contact the Department of Health and Human Services at 760-873-3305.

IT IS SO ORDERED:


Dr. James Richardson, Health Officer

04/23/2020

Date