

ORDER OF THE VENTURA COUNTY HEALTH OFFICER DIRECTING ALL INDIVIDUALS IN THE COUNTY TO WEAR FACE COVERINGS IN ALL INDOOR PUBLIC SETTINGS AND BUSINESSES FOR THE CONTROL OF COVID-19

DATE OF ORDER: August 20, 2021

Please read this Order carefully. On June 11, 2021 Governor Gavin Newsom issued Executive Order N-07-21, which formally rescinded the Stay-at-Home Order (Executive Order N-33-20, issued on March 19, 2020), as well as the framework for a gradual, risk-based reopening of the economy (Executive Order N-60-20, issued on May 4, 2020). (<https://www.gov.ca.gov/wp-content/uploads/2021/06/6.11.21-EO-N-07-21-signed.pdf>) On June 11, 2021 the State Public Health Officer issued an Order retiring the State's Blueprint for a Safer Economy along with most of its restrictions. (<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Beyond-Blueprint.aspx>)

Since that time, COVID-19 cases and hospitalizations in Ventura County have been rising due to the increased circulation of the highly transmissible Delta variant (SARS-CoV-2 B.1.617.2 – Delta variant). The latest local case rate has reached 27.9 cases per 100,000 residents with a test positivity rate of 7.7%. Rapidly increasing daily new cases indicates **high** community transmission of the COVID-19 virus in Ventura County based on the United States Centers for Disease Control and Prevention (CDC) indicators. Based on these metrics, if the prior color tiered framework set forth in the State's Blueprint for a Safer Economy were in place, Ventura County would be in the most restrictive purple tier.

Continued increase in the proportion of the population vaccinated is the best protection against COVID-19. Ventura County Public Health officials urge everyone that is currently eligible to get vaccinated. The vaccines have been effective in keeping hospitalizations and deaths far lower than previous surges. In considering additional options to stem the rapid increase in COVID-19 transmissions in the County, universal indoor face coverings are also required.

CDC recommends that vaccinated individuals wear face coverings in indoor public settings in areas of substantial or high COVID-19 transmission (<https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html>).

The California Department of Public Health (CDPH) requires face coverings in specific indoor public settings and recommends that individuals wear face coverings in all other indoor public settings, regardless of their vaccination status (<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>). Nothing in this Order lessens the CDPH requirements for face coverings in specific indoor public settings.

Due to the current surge, in alignment with state and federal health authorities, to control the spread of COVID-19 the Health Officer orders all individuals in the County of Ventura, whether

vaccinated or unvaccinated, to wear a face covering at all times in all indoor public settings and businesses, with limited exceptions¹. This Order is necessary to control and reduce the rate of community spread and to reinforce the need for safe interactions. Public Health continues to monitor transmission rates, hospitalizations, deaths and increasing vaccination rates throughout the County and will reevaluate the requirements as needed in the coming weeks. COVID-19 data can be monitored at www.vcrecovers.org.

ACCORDINGLY, UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101030, 101040, 101085, AND 120175, CALIFORNIA GOVERNMENT CODE SECTIONS 8630 AND 8665, AND TITLE 17 CALIFORNIA CODE OF REGULATIONS SECTION 2501, THE VENTURA COUNTY HEALTH OFFICER (“HEALTH OFFICER”) HEREBY ORDERS:

1. **Intent and Purpose.** The intent of this Order is to continue to protect the community from COVID-19 by temporarily requiring the use of face coverings to slow the spread of COVID-19 in Ventura County to the maximum extent possible. All provisions of this Order should be interpreted to effectuate this intent.
2. **Applicable to Entire County.** This Order applies to all persons in the cities and the entire unincorporated area of Ventura County (the “County”).
3. **Effective Date and Time.** This Order shall become effective and operative at 11:59 p.m. on August 20, 2021. Businesses shall have until 11:59 p.m. on August 23, 2021 to comply with the requirements of this Order. The Order will continue to be in effect until 11:59 p.m. on September 19, 2021, or until it is extended, rescinded, superseded or amended in writing by the Health Officer.
4. **Face Coverings.** In addition to any State orders, face coverings, to be worn over the nose and mouth, are required regardless of COVID-19 vaccination status in all indoor public settings and businesses, including but not limited to: offices, retail stores, restaurants and bars, theaters, family entertainment centers, meetings, and local government offices serving the public. Except as otherwise set forth herein, the July 28, 2021, Guidance for the Use of Face Coverings issued by the California Department of Public Health (CDPH), as may be amended from time to time, continues to apply throughout the County. (<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>)
5. **Businesses, Venue Operators.** Businesses, venue operators, and others responsible for the operation of indoor public settings or businesses must:
 - a. Require all individuals to wear face coverings regardless of vaccination status; and

¹ This face covering requirement is highly recommended but not mandatory for places of worship.

- b. Post clearly visible and easy-to-read signage at all entry points to communicate the face covering requirements.
6. **Exemptions.** Individuals **are not required** to wear face coverings in the following circumstances:
 - a. Persons younger than two years old.
 - b. Persons who are specifically exempted from wearing face masks pursuant to CDPH guidance.
(<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>)
 - c. While working alone in a closed office or room.
 - d. While actively eating and/or drinking.
 - e. While swimming or showering in a fitness facility.
 - f. While obtaining a medical or cosmetic service involving the head or face for which temporary removal of the face covering is necessary to perform the service.
 - g. Performers at indoor live events such as theater, opera, symphony, and professional sports may remove face coverings while actively performing or practicing, though such individuals should maximize physical distancing as much as practicable.
 - h. Individuals actively engaged in water-based sports (e.g., swimming, swim lessons, diving, water polo) and other sports where masks create imminent risk to health (e.g., wrestling, judo). All other indoor recreational sports, gyms, and yoga studios shall comply with this Order.
7. **Cal/OSHA.** Employers and businesses subject to the Cal/OSHA COVID-19 Emergency Temporary Standards (ETS) and/or the Cal/OSHA Aerosol Transmissible Diseases Standards should consult the applicable regulations for additional requirements. The ETS allows local health jurisdictions to mandate more protective measures. This Order, which requires face coverings for all individuals in indoor public settings and businesses, regardless of vaccination status, takes precedence over the more permissive ETS regarding employee face coverings. All other provisions of the ETS continue to apply.
8. **Compliance.** The violation of any provision of this Order constitutes a threat to public health and a public nuisance per se. Any person, after notice, who continues to violate this Order may be subject to civil penalties and any other relief as permitted by law. Pursuant to Government Code section 8665, Penal Code section 19 and Health and Safety Code section 120295 et seq., violation of or failure to comply with this Order is a misdemeanor.
9. **Copies of Order.** Copies of this Order shall promptly be: (1) made available at the County of Ventura Public Health Office, 2240 East Gonzalez Road, Suite 210, Oxnard,

California, 93036; (2) posted at www.vcrecovers.org; and (3) provided to any member of the public requesting a copy of this Order.

10. **Severability.** If any provision of this Order or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

IT IS SO ORDERED:



Robert Levin, M.D.
Ventura County Health Officer

Dated: August 20, 2021