



Health, Housing & Community Services Department  
Public Health Officer

**APPENDIX E**  
**FINDINGS OF THE BERKELEY PUBLIC HEALTH OFFICER**

This Order of the City of Berkeley (“City”) Public Health Officer (“Health Officer”) is made pursuant to the following findings:

1. This Order is issued based on evidence of the following:
  - a. The continued significant community transmission of COVID-19 within the City and throughout the Bay Area;
  - b. The high risk of undetected asymptomatic and/or pre-symptomatic transmission of COVID-19;
  - c. Scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically; and
  - d. Evidence that the age, condition, and health of a significant portion of the population of the City places it at risk for serious health complications, including death, from COVID-19; and further evidence that others, including younger and otherwise healthy people, are also at risk for serious outcomes.
2. Due to the outbreak of the COVID-19 disease in the general public, there is a public health emergency throughout the City. Many individuals who contract the virus causing the COVID-19 disease have no symptoms or have mild symptoms, which means they may not be aware they carry the virus and are transmitting it to others. Further, evidence shows that the virus can survive for hours to days on surfaces and can be indirectly transmitted between individuals. Because even people without symptoms can transmit the infection, and because evidence shows the infection is easily spread, gatherings and other direct or indirect interpersonal interactions can result in preventable transmission of the virus.
3. As of December 7, 2020, there were 1,328 confirmed cases of COVID-19 in the City as well as 33,736 confirmed cases and at least 525 deaths in Alameda County. The cumulative number of confirmed cases continues to increase. Evidence suggests that the restrictions on mobility and physical distancing continue to be necessary to slow the rate of increase in community transmission and confirmed cases by limiting interactions among people, consistent with scientific evidence of the efficacy of similar measures in other parts of the country and world. Further, evidence shows that wearing face coverings when in public places significantly reduces the transmission of COVID-19.
4. Scientific evidence shows that it remains essential to continue to slow virus transmission to help (a) protect the most vulnerable; (b) prevent the health care system from being overwhelmed; (c) prevent long-term chronic health conditions, such as cardiovascular,



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kidney, and respiratory damage and loss of limbs from blood clotting; and (d) prevent deaths. This Order is necessary to slow the spread of the COVID-19 disease, preserving critical and limited healthcare capacity in the City and advancing toward a point in the public health emergency where transmission can be controlled.

5. 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, the March 3, 2020 Proclamation by the Director of Emergency Services Declaring the Existence of a Local Emergency in the City, and the March 10, 2020, April 21, 2020, June 18, 2020, July 28, 2020, September 22, 2020, and November 17, 2020 Resolutions of the City Council ratifying and extending the Declaration of a Local Emergency.
6. This Order is also issued in light of the March 19, 2020 Order of the State Public Health Officer (the "State Shelter Order"), which set baseline statewide restrictions on non-residential business activities, and subsequent orders and guidance issued by the Governor, the State Health Officer, and the California Department of Public Health and Department of Industrial Relations.
7. This Order revises the prior Order of the Public Health Officer dated December 5, 2020. In addition, this Order adopts in certain respects more stringent restrictions than the State Blueprint for a Safe Economy addressing the particular facts and circumstances in this City, which are necessary to control the public health emergency as it is evolving within the City and the Bay Area.
8. The findings in this Appendix E are incorporated by reference into the text of the Order and are the basis for the measures taken by the Health Officer to reduce the spread of COVID-19 pursuant to Health and Safety Code sections 101475 and 120175.