



Health, Housing & Community Services Department
Public Health Officer

ORDER OF THE HEALTH OFFICER OF THE CITY OF BERKELEY RESCINDING THE COVID-19 RISK REDUCTION AND LICENSED FACILITIES ORDERS AND ADOPTING “BEYOND THE BLUEPRINT” REQUIREMENTS ISSUED BY THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH

DATE OF ORDER: June 14, 2021

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

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101475 AND 120175, THE HEALTH OFFICER OF THE CITY OF BERKELEY (“HEALTH OFFICER”) ORDERS:

1. This Order supersedes the Health Officer Order dated January 25, 2021 (“COVID-19 Risk Reduction Order”) and April 16, 2020 (“Licensed Facilities Order”).
2. This Order is issued based on evidence that high rates of vaccination in the City of Berkeley, surrounding local health jurisdictions, and the State of California have slowed the transmission of COVID-19 in the community, and that physical distancing requirements and restrictions on mobility, economic activity, and social interaction imposed by the COVID-19 Risk Reduction and Licensed Facilities Orders can be rescinded without jeopardizing public health. At the same time, this Order recognizes and is issued based on the continued need for the use of face coverings to mitigate the risk of community transmission of COVID-19 in by unvaccinated people and by all people in certain settings, as reflected in guidance issued by the Centers for Disease Control, as well as the need to require verification of vaccine status or a negative COVID-19 test for attendees of “mega events,” as defined by the California Department of Public Health (“CDPH”).
3. All persons in the City of Berkeley must comply with all requirements set forth in the [State Public Health Officer Order of June 11, 2021](#), including but not limited to the [Guidance for the Use of Face Coverings](#) issued by CDPH on June 9, 2021. All mandatory requirements of the memorandum and guidance are deemed to be mandatory requirements of this Order. A violation of any such requirement is a violation of this Order.
4. The Health Officer shall have the authority to issue interpretative guidance to implement and enforce the requirements of this Order and the CDPH requirements incorporated by reference herein.



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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 Resolutions of the City Council ratifying and extending the Declaration of a Local Emergency, and is based in whole or in part on the Health Officer's authority under Health and Safety Code section 101040.
6. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code section 101029, the Health Officer requests that the Chief of Police in the City ensure compliance with and enforce this Order. The violation of any provision of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both, and is punishable by administrative citation under the Berkeley Municipal Code.
7. This Order is effective June 15, 2021 at 12:00 a.m. and will remain in effect until October 1, 2021 at 11:59 p.m.
8. Copies of this Order shall promptly be: (1) posted at 2134 Martin Luther King Jr. Way, Berkeley, CA 94704; (2) posted on the City's website at www.cityofberkeley.info; and (3) provided to any member of the public requesting a copy of this Order.
9. If any provision of this Order or its application to any person or circumstance is held to be invalid, 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:

Lisa B. Hernandez, MD, MPH
Health Officer of the City of Berkeley

Dated: June 14, 2021