



Health, Housing & Community Services Department  
Public Health Officer

**ORDER OF THE HEALTH OFFICER  
OF THE CITY OF BERKELEY DIRECTING  
ALL INDIVIDUALS IN THE CITY TO CONTINUE SHELTERING AT  
THEIR PLACE OF RESIDENCE EXCEPT FOR IDENTIFIED NEEDS  
AND ACTIVITIES, IN COMPLIANCE WITH SPECIFIED  
REQUIREMENTS; CONTINUING TO EXEMPT HOMELESS  
INDIVIDUALS FROM THE ORDER BUT URGING GOVERNMENT  
AGENCIES TO PROVIDE THEM SHELTER; REQUIRING ALL  
BUSINESSES AND RECREATION FACILITIES THAT ARE ALLOWED  
TO OPERATE TO IMPLEMENT SOCIAL DISTANCING, FACE  
COVERING, AND CLEANING PROTOCOLS; AND DIRECTING ALL  
BUSINESSES, FACILITY OPERATORS, AND GOVERNMENTAL  
AGENCIES TO CONTINUE THE TEMPORARY CLOSURE OF ALL  
OTHER OPERATIONS NOT ALLOWED UNDER THIS ORDER**

**DATE OF ORDER: MAY 18, 2020**

## **Appendix C: Additional Businesses Permitted to Operate**



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**May 18, 2020**

The “Additional Businesses” listed below may begin operating, subject to the requirements set forth in the Order and to any additional requirements set forth below or in separate industry-specific guidance by the Health Officer. These businesses were selected to implement an initial measured expansion of commercial activity based on health-related considerations including the risks of COVID-19 transmission associated with types and modes of business operations, the ability to substantially mitigate transmission risks associated with the operations, and related factors, such as the following:

- **Increase in mobility and volume of activity**—the overall impact the reopening will have on the number of people leaving their homes and traveling to work at or access the business;
- **Contact intensity**—the type (close or distant) and duration (brief or prolonged) of the contact involved in the business;
- **Number of contacts**—the approximate number of people that will be in the setting at the same time;
- **Modification potential**—the degree to which mitigation measures can decrease the risk of transmission.

To mitigate the risk of transmission to the greatest extent possible, before resuming operations, each Additional Businesses must:

- a. Prepare, post, implement, and distribute to their Personnel a Social Distancing Protocol as specified in Section 15.h of the Order for each of their facilities in the City frequented by Personnel or members of the public; and
- b. Prepare, post, implement, and distribute to their Personnel a written health and safety plan that addresses all applicable best practices set forth in relevant Health Officer orders or directives.

As used in this Appendix C, “Personnel” means the following people who provide goods or services associated with the Additional Business in the City: employees; contractors, and sub-



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contractors (such as those who sell goods or perform services onsite or who deliver goods for the business); independent contractors (such as “gig workers” who perform work via the Additional Business’s app or other online interface); vendors who are permitted to sell goods onsite; volunteers; and other individuals who regularly provide services onsite at the request of the Additional Business.

Each Additional Business must comply with Social Distancing Requirements as well as all relevant state guidance and local directives. Where a conflict exists between the state guidance and local public health directives related to the COVID-19 pandemic, the most restrictive provision controls.

For purposes of the Order, Additional Businesses include the following based on the summarized health risk related rationale:

- (1) **Retail Stores**. Beginning at 11:59 p.m. on May 18, 2020, retail stores not otherwise authorized to operate by an Order of the Health Officer may operate in the City of Berkeley for curbside pickup and/or delivery only.
  - a. Retail stores must implement measures to prevent customers from blocking pedestrian access or causing vehicle congestion while picking up goods.
  - b. All retail stores must place limitations on the number of employees in enclosed areas, to ensure at least six feet of separation between employees to limit COVID-19 transmission, and shall comply with the requirements of the Retail Industry Guidance published by the California Department of Public Health (“CDPH”) and the Department of Industrial Relations (“DIR”) (<https://covid19.ca.gov/pdf/guidance-retail.pdf>), as may be amended from time-to-time. No customer may enter a store authorized to operate under this paragraph at any time.
  - c. Retail stores that do not have direct access to a sidewalk, street, or alley may not allow customers to enter any enclosed or partially enclosed area, but may arrange for curbside pickup of goods at a safe outdoor location in compliance with the requirements of this Paragraph and the Retail Industry Guidance.
  - d. The curbside display of goods by stores or other vendors is not permitted at this time.
- (2) **Manufacturing**. Beginning at 11:59 p.m. on May 18, 2020, manufacturing businesses permitted to operate under the state Resilience Roadmap (<https://covid19.ca.gov/roadmap/>), as it is amended from time-to-time, may operate in the City of Berkeley. Manufacturers must place limitations on the number of employees in enclosed areas, to ensure at least six feet of



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separation between employees to limit COVID-19 transmission, and shall comply with the requirements of the Manufacturing Industry Guidance published by CDPH and DIR (<https://covid19.ca.gov/pdf/guidance-manufacturing.pdf>), as it is amended from time-to-time.

- (3) **Logistics and Warehousing**. Beginning at 11:59 p.m. on May 18, 2020, logistics and warehousing facilities permitted to operate under the state Resilience Roadmap (<https://covid19.ca.gov/roadmap/>), as it is amended from time-to-time, may operate in the City of Berkeley. Logistics and warehousing facilities must place limitations on the number of employees in enclosed areas, to ensure at least six feet of separation between employees to limit COVID-19 transmission, and shall comply with the requirements of the Logistics and Warehousing Facility Industry Guidance published by CDPH and DIR (<https://covid19.ca.gov/pdf/guidance-logistics-warehousing.pdf>), as it is amended from time-to-time.