

**Health, Housing & Community Services Department  
Public Health Officer**

**ORDER OF THE HEALTH OFFICER  
OF THE CITY OF BERKELEY FOR THE CONTROL OF COVID-19**

**Public Health Emergency Isolation Order**

**Date Order Issued: March 9, 2022**

**This Order is in effect until rescinded in writing by the Health Officer.**

**SUMMARY OF THE ORDER**

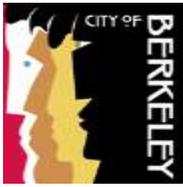
**California is in a State of Emergency because of the COVID-19 pandemic.** The spread of Novel Coronavirus (COVID-19) is a substantial danger to the health of the public within the City of Berkeley. COVID-19 can easily spread between people who are in close contact with one another. This Order is issued based on scientific evidence and best practices as currently known and available to protect vulnerable members of the public from avoidable risk of serious illness or death resulting from exposure to COVID-19. The age, condition, and health of a significant portion of the population of the City of Berkeley places it at risk for serious health complications, including death, from COVID-19. Although some individuals who contract COVID-19 do not have severe symptoms, persons with COVID-19 with mild symptoms or who are asymptomatic may place other vulnerable members of the public at significant risk.

The statewide, seven-day average case rate from January 10<sup>th</sup> to March 7<sup>th</sup> decreased by more than 25 times (301.9 to 11.7) and the 14-day average of hospitalized patients decreased by 3.5 times (14,942.0 to 4287.6) from January 28<sup>th</sup> to March 6<sup>th</sup>. While the risk for COVID-19 infection is highest among unvaccinated residents and those who have not received a booster, the proportion of post-vaccination infections are increasing. Hospitalizations have also increased among unvaccinated persons.

On January 12, 2022, CDPH updated COVID-19 Public Health Guidance for K-12 Schools in California, 2021-22 School Year. On February 18, 2022, CDPH updated Guidance for Child Care Providers and Programs.

To help slow the spread of COVID-19 spread, protect vulnerable individuals, and prevent the healthcare system in the City of Berkeley from being overwhelmed, it is necessary for the City of Berkeley Public Health (“Public Health”) to require the isolation of persons with COVID-19.

This Order supersedes the Public Health Emergency Isolation Order issued on January 7, 2022.



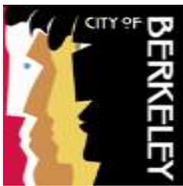
Health, Housing & Community Services Department  
Public Health Officer

**UNDER THE AUTHORITY OF THE CALIFORNIA HEALTH AND  
SAFETY CODE SECTIONS 101475 AND 120175, THE CITY OF BERKELEY  
HEALTH OFFICER ORDERS:**

**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 §§ 120220, 120295; City of Berkeley Municipal Code §2.50.040.)**

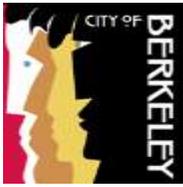
**ISOLATION REQUIREMENTS FOR INDIVIDUALS DIAGNOSED WITH OR  
LIKELY TO HAVE COVID-19**

1. Except as detailed in the Specific Isolation Procedure for High Risk Settings below, all individuals who have been diagnosed with or are likely to have COVID-19 must follow isolation recommendations detailed in the CDPH Guidance for Isolation and Quarantine of the General Public. (Exhibit A)
2. Specific Isolation Procedures High Risk Settings.
  - a. Individuals who have been diagnosed with or are likely to have COVID-19 in high risk settings, including shelters and congregate housing, must isolate for 10 days. For this Order, congregate housing includes housing where people are not able to isolate away from others such as transitional housing, shelters, domestic violence and abuse shelters, and other shared housing.
3. Teachers and students in K-12 Schools should follow isolation guidance as detailed in CDPH K-12 Schools Guidance. (Exhibit A)
4. Childcare facilities should follow isolation guidance as detailed in the CDPH Guidance for Child Care Providers and Programs. (Exhibit A)
5. Persons experiencing homelessness are required to comply with this Order where a location is available for them to safely isolate themselves from other individuals, but are exempt from this Order if no such location is available.
6. Nothing in this Order limits the obligation of employers to comply with the isolation requirements in the [Cal/OSHA COVID-19 Prevention Emergency Temporary Standards](#). Nothing in this Order shall be construed to limit the ability of an employer to impose isolation policies which are stricter than those imposed by this Order.



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7. This Order is effective immediately and applies to all persons in the City of Berkeley, including those already isolating due COVID-19 diagnosis or likely infection. For persons isolating on the date this Order becomes effective, any time already spent in isolation as of the effective date of this order may be counted toward the cumulative total time required for isolation by this Order.
8. The Health Officer may require longer isolation or additional measures in high risk settings or in response to an outbreak. The Health Officer may take additional action(s), which may include, but are not limited to, civil detention or requiring one to stay at a health facility or other location, to protect the public's health if an individual who is subject to this Order violates or fails to comply with this Order. Violation of this Order constitutes an imminent threat and immediate menace to public health, constitutes a public nuisance, and is a misdemeanor punishable by imprisonment, fine or both.
9. The Health Officer will continue to monitor several key indicators to inform the decision whether to modify the restrictions in this Order. The Health Officer will continually review whether modifications to the Order are warranted based on (1) progress in countering the spread of COVID-19 in the City; (2) developments in methods and strategies for preventing and treating COVID-19; and (3) scientific understanding of the transmission dynamics and clinical impact of COVID-19.
10. 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, the March 10, 2020 Resolution of the City Council Ratifying the Proclamation of Local Emergency, and guidance issued by the CDPH and CDC, as each of them have been and may be supplemented.
11. This Order is also issued in light of the March 19, 2020 Order of the State Public Health Officer 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. The Health Officer may adopt more stringent restrictions and requirements addressing the particular facts and circumstances in the City, necessary to control the public health emergency as it is evolving within the City and the region. Where a City Health Officer Order and any state public health order related to the COVID-19 pandemic conflict, the most restrictive provision controls.



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12. The City must promptly provide copies of this Order as follows: (1) by posting on the City's website (cityofberkeley.info); (2) by posting at Old City Hall, located at 2134 Martin Luther King Jr. Way, Berkeley, CA 94704; and (3) by providing to any member of the public requesting a copy.
  
13. 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:**

A handwritten signature in blue ink, appearing to read "Lisa B. Hernandez", written over a horizontal line.

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

**Date:** 03/09/2022