

**ORDER OF THE HEALTH OFFICER
OF THE COUNTY OF MARIN RESTRICTING
THE USE OF SHORT-TERM LODGING FACILITIES**

DATE OF ORDER: **APRIL 9, 2020**

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, *et seq.*; Cal. Penal Code §§ 69, 148(a)(1), *et seq.*)

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER OF THE COUNTY OF MARIN (“HEALTH OFFICER”) ORDERS:

1. The intent of this Order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, pursuant to the March 31 Order of the Health Officer of the County of Marin Directing All Individuals Living in the County to Continue Sheltering at Their Place of Residence (the “March 31 Order”), while allowing Coronavirus Disease 2019 (“COVID-19”) mitigation efforts and other essential activities to occur. All provisions of this Order must be interpreted to effectuate this intent. This Order clarifies that, pursuant to the March 31 Order, Short-Term Lodging Facilities are not permitted to operate unless it is for an essential purpose as defined in the March 31 Order.
2. For purposes of this Order, “Short-Term Lodging Facilities” are vacation rentals, short-term rentals, timeshares, hotels, motels, bed and breakfasts, and other lodging facilities.
3. Short-Term Lodging Facilities within the County of Marin (“County”) are hereby directed to cease all operations and services except as necessary to provide:
 - a. Lodging for the County’s homeless population;
 - b. Lodging for County residents who have been displaced and cannot return to their residence because there is a person residing at their residence that must isolate or quarantine or is at high risk of severe illness from COVID-19;
 - c. Lodging for County residents who need to isolate or quarantine;
 - d. Lodging to support Healthcare Operations, Essential Infrastructure, Essential Businesses, and Essential Governmental Functions as defined in the March 31 Order (e.g., lodging for traveling nurses or government contractors);
 - e. Lodging for County residents facing immediate displacement from their primary residence due to safety, sanitation, or habitability issues (i.e., inhabitable living conditions, violence, or threats of violence);
 - f. Minimum Basic Operations as defined in the March 31 Order.

4. No homeowner/businessowner, agent of the homeowner/businessowner, marketing agent, listing agent, or real estate agent shall engage in efforts to rent or lease any Short-Term Lodging Facility within the County for a stay occurring while this Order is in effect for any purpose other than those identified in Paragraph 3 above.
5. Failure to comply with any of the provisions of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.
6. This Order is issued based on evidence of increasing occurrence of COVID-19 within the County and throughout the Bay Area and scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically. Traditional operation of short-term lodging facilities, which rely on a rotating clientele often from outside the County, impair efforts to mitigate the spread of COVID-19.
7. This Order comes after the release of substantial guidance from the Health Officer, the Centers for Disease Control and Prevention, the California Department of Public Health, and other public health officials throughout the United States and around the world, including a variety of prior orders to combat the spread and harms of COVID-19. The Health Officer will continue to assess the quickly evolving situation and may modify or extend this Order, or issue additional Orders, related to COVID-19.
8. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code section 101029, the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order. The violation of any provision of this Order constitutes an imminent threat to public health.
9. This Order shall become effective at 11:59 p.m. on April 9, 2020 and will continue to be in effect until 11:59 p.m. on May 3, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Health Officer.
10. Copies of this Order shall promptly be: (1) made available at the Bulletin Board adjacent to the entrance to the Chambers of the Board of Supervisors, Room 330, Administration Building, and in the display case in the center arch of the Hall of Justice, Marin County Civic Center, San Rafael, California; (2) posted on the County of Marin website (www.marincounty.org) as well as the County of Marin Department of Health and Human Services website (www.marinhhs.org); and (3) provided to any member of the public requesting a copy of this Order.
11. If any provision of this Order or the application thereof 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:

Matt Willis, MD, MPH
Health Officer of the County of Marin

Dated: April 9, 2020