

County of Imperial  
Order of the Health Officer

Pursuant to sections 101040, 120175, and 120175.5(b) of the California Health and Safety Code, the Imperial County Health Officer (“Health Officer”) hereby **ORDERS AS FOLLOWS:**

**WHEREAS**, on August 28, 2020 the Acting State Public Health Officer for the state of California (“State”) issued a [Statewide Public Health Officer Order](#) (“August 28<sup>th</sup> Order”), which went into effect August 31, 2020, and superseded the July 13, 2020 State Public Health Officer Order; and

**WHEREAS**, the August 28<sup>th</sup> Order created a new framework for the reopening of businesses under COVID-19, and has been designated California’s Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe, also referred to as the [Blueprint for a Safer Economy](#); and

**WHEREAS**, in order to ensure that new State orders and guidance document are incorporated and implemented within the County of Imperial (“County”) in a timely manner, on November 19, 2020, the Health Officer issued a new Health Order (“November 19<sup>th</sup> Order”). The November 19<sup>th</sup> Order requires all residents and visitors of the County to abide by all orders and guidelines issued by the Governor, the Acting State Public Health Officer, or California Department of Public Health (“CDPH”) concerning COVID-19, including any order or guidelines issued after the effective date of the November 19<sup>th</sup> Order; and

**WHEREAS**, on February 5, 2020, the U.S. Supreme Court (“Court”) in the case [South Bay United Pentecostal Church, et al. v. Newsom et al.](#), partially granted applicant’s application for injunctive relief, and prohibited the State from restricting indoor services of places of worship under Tier 1 of the [Blueprint for a Safer Economy](#). However, the Court denied the application for injunctive relief with respect to the State’s ability to impose a 25% capacity limitation on indoor services of places of worship under Tier 1 of the [Blueprint for a Safer Economy](#). The Court also denied the application for injunctive relief with respect to the State’s ability to prohibit singing and chanting during indoor services of places of worship; and

**WHEREAS**, in response to the Court’s February 5 ruling, the State updated the [Blueprint for a Safer Economy](#) to allow places of worship to perform services indoors under Tier 1, subject to certain modifications and restrictions; and

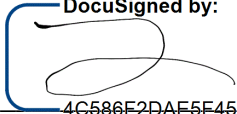
**WHEREAS**, in reviewing the [Blueprint for a Safer Economy](#) and CDPH’s guidelines for [Places of Worship and Providers of Religious Services and Cultural Ceremonies](#), the Health Officer has determined that additional restrictions above and beyond those provided in the guidance document, but that are permitted under the Court’s February 5 ruling, are necessary in order to protect the health and safety of the residents and visitors of the County.

**THEREFORE**, effective 12:00 p.m. on Sunday, February, 7, 2021, and continuing until rescinded, the following will be in effect for the County of Imperial:

1. All residents and visitors of the County shall continue to abide by all applicable terms and conditions of those Orders issued by the Health Officer on November 19, 2020, November 20, 2020, and December 5 2020. This Order is a supplement to and accompanies those Orders issued by the Health Officer on November 19, 2020, November 20, 2020, and December 5, 2020. If the event of a conflict between this Order and any previous Order issued by the Health Officer, the terms and condition of this Order shall prevail.
2. Singing, chanting, shouting, and the playing of wind instruments (any instrument played by the mouth, such as a trumpet or clarinet) are prohibited in any public or private venue, both indoors and outdoors.
3. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, business, structure, gathering, or circumstance is held to be invalid, preempted, or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
4. This Order is issued in accordance with, and incorporates by reference, any applicable federal, State, or local law, regulation, rule, policy, or procedure related to COVID-19, as they may be amended, updated, or supplemented.
5. To protect the public's health, the Health Officer may take additional action(s) for failure to comply with this Order. Violation of this Order is a misdemeanor punishable by imprisonment, fine or both under sections 120295 et seq. of the California Health and Safety Code. Further, pursuant to sections 26602 and 41601 of the California Government Code, and section 101029 of the California Health and Safety Code, the Health Officer requests that the Sheriff and the Chiefs of Police in all cities located in the County ensure compliance with and enforcement of this Order.
6. This Order shall remain in effect until rescinded.

**IT IS SO ORDERED:**

Date: February 7, 2021

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Stephen Munday, M.D., MPH  
Health Officer