

**INDUSTRY-SPECIFIC GUIDANCE OF THE HEALTH OFFICER OF
THE COUNTY OF MARIN REGARDING REQUIRED BEST
PRACTICES FOR NON-ESSENTIAL RETAILERS**

This industry-specific guidance is being issued pursuant to the May 15, 2020 Order of the Health Officer of the County of Marin Directing All Individuals in the County to Continue Sheltering in their Place of Residence (the “Shelter in Place Order”) and unless otherwise defined below, initially capitalized terms used in this guidance have the same meaning given them in that order. This guidance goes into effect on June 12, 2020.

This guidance remains in effect until suspended, superseded, or amended by the Health Officer, is supported by the justifications set forth in the Shelter in Place Order, and automatically incorporates any revisions to that order or other future orders issued by the Health Officer that supersede that order or reference this guidance. All businesses addressed herein and allowed to operate under the Shelter in Place Order are required to follow this industry-specific guidance and implement all Best Practices detailed below.

This guidance and its enumerated Best Practices may be revised by the Health Officer, through revision of this guidance or another future order, as conditions relating to COVID-19 require, at the discretion of the Health Officer. Each business identified herein must stay updated regarding any changes to the Shelter in Place Order, this guidance, and the Best Practices specifically applicable to it by checking the [Marin Recovers](#) website regularly.

**UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE
SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER DIRECTS AS
FOLLOWS:**

1. This guidance applies to all owners, operators, managers, or supervisors of any business that Shelter in Place Order permits to be open to the public in the County of Marin (the “County”) and that consist of any of the following:
 - 1.1. Any retail business not operating as an Essential Business or Outdoor Business or to carry out an Essential Governmental Function, (“Retailers”).
2. Each Retailer must create, adopt, and implement a written COVID-19 Site-Specific Protection Plan (a Site-Specific Protection Plan template is available online at [marinrecovers.com](#) that incorporates and addresses all applicable Best Practices included in this guidance.
3. Depending on the nature of the business covered by this guidance, there may be certain people associated with the business that are subject to this guidance. Collectively those people are referred to by this guidance and the Best Practices as “Personnel”, and those people include all of the following who provide goods or services associated with the business in the County: employees; contractors and sub-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 business’ app or other online

interface); vendors who are permitted to sell goods onsite (such as farmers or others who sell at stalls in farmers' markets); volunteers; and other individuals who regularly provide services onsite at the request of the business. This guidance requires the business to ensure that Personnel who perform work associated with the business are addressed by the COVID-19 Site-Specific Protection Plan and comply with those requirements.

4. Implementation of this guidance augments—but does not limit—the obligations of each Retailer under all other existing Health Officer Orders, including, but not limited to, all requirements of the Facial Coverings Order and the obligation to prepare, post, and implement a Site-Specific Protection Plan as required by the Shelter in Place Order.
5. Best Practices for Retailers that are Providing Curbside or Outdoor Retail:
 - 5.1 The curbside or walk-up transaction will occur outside the building, such as in the doorway or through an exterior window. Customers will only enter the premises of the store according to the Indoor Retail Guidelines below.
 - 5.2 With permission from the local jurisdictions and/or shopping center, Curbside Retailer may display merchandise curbside or create an outdoor retail location. Curbside Retailers must clearly designate and mark any outdoor retail location. Local jurisdictions shall have flexibility to create outdoor space use solutions that work for their communities.
 - 5.3 Curbside pick-up/delivery access points are clearly designated and marked and meet the criteria established by the local jurisdiction to do so.
 - 5.4 Provide a location for customers to pick up their goods and a contact to allow for delivery without direct interaction, except as necessary to accept payment.
 - 5.5 Clothing items may not be tried on.
 - 5.6 Limit the number of customers waiting in line at any one time that will allow for customers and employees to easily maintain at least a six foot distance from one another and allows sufficient sidewalk or outdoor space to allow safe pedestrian right-of-way at all times.
 - 5.7 Be prepared to queue customers outside while still maintaining physical distance. No non-household group gatherings around outdoor retail displays are allowed.
 - 5.8 Customers and employees must sanitize or glove hands before handling any merchandise.
 - 5.9 Handle returns based on the latest industry guidance available. Consider extending the deadline for returns or exchanges of items to help customers postpone repeat trips to the business until a safer time or encourage customers to send returns or exchanges by a delivery service in order to reduce unnecessary contact.
 - 5.10 Shade structures. Umbrellas, canopies and other shade structures are only allowed if they do not have sides and allow for the free flow of air through the space and as permitted by the local jurisdiction.

6. Best Practices for Indoor Retailer:

- 6.1. Any retail store that provides indoor shopping for customers under these guidelines will also continue to provide Curbside Retail, where feasible, to allow customers options to shop that does not require customers to go indoors.
- 6.2. Indoor shopping may occur by appointment and/or on a first come first served basis not to exceed 50% of the total retail space maximum allowable occupancy or ability for household groups to maintain six feet of distance indoors, whichever is fewer. Individual businesses may establish lower occupancy limits if desired.
- 6.3. Businesses may establish customer time limits for occupying the store to ensure traffic flow.
- 6.4. Ensure customers remain a minimum of six feet from employees during the checkout process by installing partitions, barriers or by other means; or install protective plexiglass screens if keeping a six-foot distance is not possible, except as necessary to accept payment.
- 6.5. Consider providing dedicated in-store visit hours for people at higher risk of severe illness from COVID-19.
- 6.6. Assign Personnel that is always on-site to monitor store capacity. The person assigned must ask customers to queue at six-foot distances at the door if the capacity of the store is reached.
- 6.7. Customers and employees must sanitize or glove hands before handling any merchandise. Store owners are encouraged to provide hand sanitizer and gloves if possible.
- 6.8. Disallow sampling and customer access to bulk-bin options.
- 6.9. Clothing items may not be tried on and dressing rooms will remain closed.
- 6.10. Apply floor decals in cashier and queuing areas to establish safe waiting distance.
- 6.11. Establish one-way traffic flow through aisles in cases where customers cannot maintain six feet of distance while passing.
- 6.12. Create a single entrance and single exit where possible.
- 6.13. Handle returns based on the latest industry guidance available. Consider extending the deadline for returns or exchanges of items to help customers postpone repeat trips to the business until a safer time or encourage customers to send returns or exchanges by a delivery service in order to reduce unnecessary contact.

6.14. Retail businesses that sell new or used cars at the retail level must follow the above retail guidelines, as well as the following:

6.14.1. Increase distances between tables/chairs in showrooms and waiting areas to ensure physical distancing in-person meetings, if they are necessary, to ensure physical distancing.

6.14.2. For Personnel management, auto dealerships will follow General Office Space guidelines for office space management.

6.14.3. Allow only one customer in vehicles during test drives with the employee sitting in opposite back seat. Both customer and employee must wear face covers as required by the Health Officer Order for Face Coverings at all times, including during a test drive.

6.14.4. Prohibit Personnel from using handshakes and similar greetings that violate social distancing protocols.

7. This guidance is issued in furtherance of the purposes of the Shelter in Place Order. Where a conflict exists between this guidance and any state, local, or federal public health order related to the COVID-19 pandemic, including, without limitation, the Site-Specific Protection Plan, the most restrictive provision controls. Failure to carry out this guidance is a violation of the Shelter in Place Order, constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is a misdemeanor punishable by fine, imprisonment, or both.

Date: June 12, 2020

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Health Officer of the County of Marin