



**COUNTY OF DEL NORTE**  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
PUBLIC HEALTH BRANCH

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Crescent City, California 95531

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May 4, 2020

Sherry Scott and Ed Salsedo-owners  
The Log Cabin Diner  
301 Highway 169  
Klamath CA 95548

Sherry Scott and Ed Salsedo  
P.O. Box 275  
Orick, CA 95555

Dear Sherry and Ed;

It was a genuine pleasure to speak with you on Saturday, May 2nd. The occasion was unusual, in that I called to inquire why you had decided to re-open indoor dining at your establishment in defiance of both State of California and local health orders. You made your reasons and your position clear, and I was surprised and pleased to hear that you had taken steps to protect your customers. Your description of those measures seemed to include nearly everything that my office would recommend. I indicated to you that I was sympathetic to your situation, which is a genuine sentiment (my own family are restaurant owners in Southern California, and have lost nearly every part of their operation.) However, I also indicated to you that my legal obligation as Health Officer is also very clear. I am responsible for local enforcement of State ordered public health directives, and the Governor's executive orders have the force of law.

I regret to inform you that unless you close the dining-in portion of your restaurant business again, you are in violation of Health and Safety Code 120275. That section states "Any person who, after notice, violates, or who, upon the demand of any health officer, refuses or neglects to conform to, any rule, order, or regulation prescribed by the department respecting a quarantine or disinfection of persons, animals, things, or places, is guilty of a misdemeanor." Please do consider this letter to be additional notice of violation under Health and Safety Code 120275. The penalty for such violation is described in Health and Safety Code 120295. You may be fined up to a thousand dollars for every day that you are in violation of the code. That section states "Any person who violates Section 120130 or any section in Chapter 3 (commencing with Section 120175, but excluding Section 120195), is guilty of a misdemeanor, punishable by a fine of not less than fifty dollars (\$50) nor more than one thousand dollars (\$1,000), or by imprisonment for a term of not more than 90 days, or by both. He or she is guilty of a separate offense for each day that the violation continued." Additionally Government Code Section 8665 states "Any person who violates any of the provisions of this chapter or who refuses or willfully neglects to obey any lawful order or regulation promulgated or issued as provided in this chapter, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not to exceed

one thousand dollars (\$1,000) or by imprisonment for not to exceed six months or by both such fine and imprisonment." Your violation also constitutes a public nuisance as it endangers the health and safety of the public. If the County is forced to pursue civil enforcement, the County will also seek attorney's fees as enforcement proceedings are an unnecessary burden on taxpayers. This is outside any remedies that may be undertaken by the Yurok Tribe should they pursue enforcement of their orders.

I implore you both to reconsider your decision, however hard it may be to wait. We expect that the rules will be changing soon, and we also expect this will give me much greater flexibility to accommodate the needs of restaurant owners. Please believe me; it will be on everyone's agenda. Your voluntary compliance is far more preferable to enforcement, as we in Del Norte work through this worldwide crisis.

Sincerely,

A handwritten signature in black ink, appearing to read 'WR', with a horizontal line underneath.

Dr. Warren Rehwald  
Del Norte County Public Health Officer  
Dept. of Health and Human Services  
Public Health Branch  
707-464-0861