



# County of Fresno

## DEPARTMENT OF PUBLIC HEALTH

Amended 6-9-2023

### Ordered Closure and Abatement

#### HEALTH OFFICER ORDER FOR COUNTY OF FRESNO TO CLOSE BUSINESS OPERATIONS AND ABATEMENT OF BIOLOGICALS LOCATED AT 850 "I" STREET, REEDLEY, CA 93654

Please read this Order carefully. Violations of or failure to comply with this Order is a crime punishable by fine, imprisonment, or both. Violators are also subject to civil enforcements actions including civil penalties of up to \$1,000 per violation per day, injunctive relief, and attorneys' fees and costs. (Health and Safety Code Section 120275; Penal Code Section 19; Government Code Section 25132.

Under the authority of California Health and Safety Code Section 120175, and 120275; Title 17 California Code of Regulations Section 2501; and Article XI of the California Constitution, The Health Officer of the County of Fresno ("Health Officer") Orders:

1. The business located at 850 "I" Street, Reedley, CA 93654, Assessors Parcel Number 368-010-64S ("Business") in the County of Fresno, whether public or private, and their ancillary use areas, which include but are not limited to parking areas, are hereby closed effective immediately and shall remain closed pending further Order of the Public Health Officer.

Entry to or use of Business, and their ancillary use areas, shall not be permitted by any person or group, regardless of membership status, admission cost, or party size.

2. This Order will permit the Fresno County Department of Public Health or its designee to abate all biologicals kept on premises of Business unless the following demands are met:
  - A. By June 11, 2023, the Business identified above must produce the names, titles, and contact information of all persons authorized by law to conduct business and assume financial responsibility of the Business in California. Such persons include corporate officers, directors, shareholders, or employees granted such abilities via board resolution.
  - B. By June 11, 2023, the Business identified above must produce a biological abatement and disposal plan for the transport of properly labeled and identified biological specimens consistent with Federal, State, and local regulations. This plan should include transporters with appropriate licensures and certifications as well as a demonstration of commitment from these vendors via a purchase order or binding commitment. All biological specimens in non-operating refrigerators, or specimens that are improperly labeled or unidentified shall be treated as medical waste and abated and disposed of as medical waste. Such transporters contact information must be provided for the Fresno County Department of Public Health to verify.
3. If the Fresno County Department of Public Health does not receive both of the above items or it does not approve the biological abatement plan, then they, or their designee, may immediately commence abatement of all biologicals found on the property.

#### ***Promotion, preservation and protection of the community's health***

1221 Fulton Street /P. O. Box 11867, Fresno, CA 93775

(559) 600-3200 • FAX (559) 600-7687

The County of Fresno is an Equal Employment Opportunity Employer

[www.co.fresno.ca.us](http://www.co.fresno.ca.us) • [www.fcdph.org](http://www.fcdph.org)

4. This Order is issued as a result of the City of Reedley's attempts at gathering authorized representative contact information, repeated requests of complete lists of biologicals present, and an inspection pursuant to Health Officer Order dated April 21, 2023, which revealed biologicals in hazardous and non-compliant conditions, the presence of multiple infectious agents and pursuant to Title 17 California Code of Regulations Section 2500, and multiple City of Reedley building and fire code violations, including but not limited to, failing refrigeration, and documented out of compliance electrical additions. The storage of biologicals in unsafe and unsanitary conditions constitutes a public nuisance.
5. Furthermore, the City of Reedley issued an Abatement Warrant on April 5, 2023, for the abatement of neglected laboratory mice, which revealed a persisting pest infestation at the premises.
6. This Order is issued based on evidence of increasing non-compliance with the City of Reedley by Business, and to protect the public from the risk of spread or of exposure to the identified infectious agents found on premises.
7. This order is made in accordance with all applicable State and Federal laws, including but not limited to: Health and Safety Code Sections 101030, et seq.; Health and Safety Code Sections 120100, et. Seq.; and Title 17 of the California Code of Regulations Section 2501.
8. To the extent necessary, 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 enforcement of this Order. Violators are also subject to civil enforcement actions including civil penalties of up to \$1,000 per violation per day, injunctive relief, and attorneys' fees and costs.
9. Copies of this Order shall promptly be (1) made available at the County of Fresno Department of Public Health office located at 1221 Fulton Mall, Fresno, CA 93721; (2) posted on the County of Fresno Public Health Department's website; and (3) provided to any member of the public requesting a copy of this Order.

10. Language Assistance Rights

The contents of this letter involve your property and may impact your legal rights. Your response to this letter is very important, failure to respond may have legal consequences. If you need language assistance to understand the contents of this letter, please immediately contact the County of Fresno – Department of Public Health by phone at (559) 600-3200 or by email at [dph@fresnocountyca.gov](mailto:dph@fresnocountyca.gov) to be connected with a translator.

本函内容涉及您的财产，可能会影响您的合法权利。您对这封信的回复非常重要，未能回复可能会产生法律后果。如果您需要语言帮助来理解这封信的内容，请立即通过电话（559）600-3200 或通过电子邮件 [dph@fresnocountyca.gov](mailto:dph@fresnocountyca.gov) 与翻译人员联系弗雷斯诺县代码执行部门。

11. The following shall constitute the notice of rights:
- a. If you object to this order, you have a right to arrange for your own legal representative.
  - b. You have a right to also file for judicial relief to seek release from the order.
  - c. All requests to contact the County Health Officer will be through FCDPH at (559) 600-3200 during normal business hours. After hours, weekends, and holidays notify FCDPH On-Call staff at (559) 352-7067. If no response, contact County Sheriff Dispatch at (559) 600-3111.

Rais Vohra MD

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(Signature of Health Officer or Deputy Health Officer)

6/9/2023

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(Date of Issuance of Order)