

WEST HOLLYWOOD
DIRECTOR OF EMERGENCY SERVICES

EXECUTIVE ORDER NO. 2020-2

EMERGENCY EXECUTIVE ORDER OF THE CITY
MANAGER/DIRECTOR OF EMERGENCY SERVICES OF THE
CITY OF WEST HOLLYWOOD, CALIFORNIA,
IMPLEMENTING EMERGENCY MEASURES TO PREVENT
THE SPREAD OF COVID-19

SECTION 1. RECITALS

- A. International, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named “SARS-CoV-2,” and the disease it causes which has been named “coronavirus disease 2019,” abbreviated COVID-19, (“COVID-19”).
- B. On March 4, 2020, the Los Angeles County Board of Supervisors and Department of Public Health declared a local emergency and local public health emergency to aid the regional healthcare and governmental community in responding to COVID-19.
- C. On March 4, 2020, the Governor of the State of California declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for a broader spread of COVID-19.
- D. On March 13, 2020, the President of the United States of America declared a national emergency and announced that the federal government would make emergency funding available to assist state and local governments in preventing the spread of and addressing the effects of COVID-19.
- E. On March 16, 2020, the City Council proclaimed the existence of a local emergency to ensure the availability of mutual aid and an effective City response to the novel coronavirus (“COVID-19”).
- F. On March 16, 2020, the Los Angeles County Public Health Officer issued an order countywide that (1) prohibited gatherings where at least 50 or more people are expected to attend, (2) puts limits and regulations on gatherings of 10-49 people, (3) limits restaurants to drive-through/takeout/delivery only, and (4) closes bars (that don’t serve food), gyms, movie theaters, etc.
- G. The Centers for Disease Control and Prevention, the California Department of Health, and the Los Angeles County Department of Public Health have all issued recommendations including but not limited to strict adherence to social distancing guidelines, canceling or postponing group events, working from home, and other

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precautions to protect public health and prevent transmission of this communicable virus. Other counties throughout the state have similar directives.

- H. On March 19, 2020 the Los Angeles County Public Health Officer issued a second countywide order, the Safer at Home For Control of COVID-19 Order, which was further clarified on March 21, 2020. This public health order prohibits all public and private group gatherings and events and requires people to stay in their homes with limited exceptions; and requires closure of all non-essential retail businesses, shopping centers, playgrounds for children, bars, nightclubs, movie theaters and all similar gathering places. The purpose of the order is to further restrict and limit gathering of persons and require closures of non-essential retail businesses in an effort to stem or slow the spread of the virus.
- I. On March 19, 2020, the Governor of the State of California, also issued Executive Order N-33-20, an Order of the State Public Health Officer ordering all individuals living in California to stay home or at their place of residence except as needed to maintain continuity of operations of outlined federal critical infrastructure sectors.
- L. During the pendency of the local emergency and statewide state of emergency, the Director of Emergency Services is empowered: “[to] make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Council. . .” under Section 2.80.060 A.(6)(a) of the West Hollywood Municipal Code.
- M. Notwithstanding the County and State orders and social distancing public health guidance to slow the spread of the virus, the city has received numerous complaints about, and city staff have personally witnessed, failure to socially distance at city parks and construction sites. Health authorities warn that this week and the following week are expected to be critical weeks in terms of controlling spread of the virus. While construction is identified as an essential activity, the work must be done in a safe manner that is consistent with public health directives and guidance. Face coverings are deemed an appropriate method to protect others from the spread of the virus, as carriers of the virus may show no symptoms and should be worn at construction sites where people may be in close proximity to one another.
- N. Failure to abide by public health directives is unsafe and dangerous in this unprecedented time of a worldwide health pandemic.
- O. This Order is adopted pursuant to the City’s police powers and powers afforded to the City in time of national, state, county and local emergency during an unprecedented health pandemic, such powers being afforded by the State Constitution, State law, and the Chapter 2.80 of the West Hollywood Municipal Code to protect the peace, health, and safety of the public, and to protect life and property as affected by the emergency, in that this Order includes measures to close parks where people are not maintaining safe distances and to require safe practices

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at construction sites to slow the spread of COVID-19. The order also authorizes businesses that would normally be considered non-essential but have supply of goods that are needed to slow the spread of the virus, to conduct retail sidewalk sales through a revocable (no fee) encroachment permit. The order also allows closed businesses to board up windows in a safe manner.

NOW, THEREFORE, I, Paul Arevalo, the Director of Emergency Services for the City of West Hollywood, do hereby issue the following order to become effective immediately, subject to ratification as soon as practicable by the City Council:

IT IS HEREBY ORDERED THAT:

SECTION 2. Emergency Measures.

A. All city parks and dog parks are closed to the public.

B. Construction sites shall follow the following requirements. Failure to abide by these requirements may result in issuance of a stop work order by the Building Official for unsafe and dangerous practices, or any other legal remedy available by law.

1. Handwashing facilities or hand sanitizer shall be installed at entrances to construction projects (unless the work is being conducted in an occupied building with operable restrooms in which case sinks are available for handwashing).

2. Shared tools and equipment shall be regularly sanitized.

3. Signage shall be posted at entrances to construction projects or common areas where work is occurring in an occupied building to instruct workers of social distancing and sanitation requirements, and workers who are sick or exhibit symptoms of being ill or those in recent close contact with someone exposed to COVID-19 shall not be present on the work site. Los Angeles County Department of Public Health standards for social distancing shall apply.

4. Face coverings shall be worn by all persons present at the construction site, and when necessary, OSHA regulations for personal protective equipment for the activity being performed shall be followed.

5. Workers shall not gather in groups larger than three during breaks and shall maintain a six-foot social distance during such breaks.

6. "Choke points" and "high-risk areas" shall be identified where workers are forced to stand together, such as hallways, hoists and elevators, break areas, and buses, and they shall be controlled so social distancing is maintained, to the extent practicable.

7. Interactions when picking up or delivering equipment or materials shall be minimized to allow social distancing.

8. The trades shall be staggered as necessary to reduce density and maintain social distancing.

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C. Businesses that would normally be considered non-essential retail businesses but have supply of goods that are needed to slow the spread of the virus (e.g. face coverings, hand sanitizer, sanitizing wipes), may conduct limited retail sidewalk sales of those goods through a revocable (no fee) encroachment permit, provided that the sales are conducted in a manner that is consistent with Los Angeles County Public Health Safer at Home Order Section 2(a)-(d). These limited sidewalk sales may function as establishments engaged in retail sales of household consumer products under Safer at Home Order Section 13(a).

D. Notwithstanding anything to the contrary in the WHMC, window coverings to board up windows to secure a business during this period of closure are permitted, provided that the coverings are painted and may be secured to the window either inside or outside of the window.

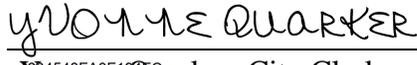
SECTION 3. Severability. If any section, subsection, sentence, clause, phrase or word of this order is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such decision shall not affect the remaining provisions of this order.

SECTION 4. Effective Date and Termination. This Order shall become effective immediately and shall continue until the earlier to occur of: (1) the conclusion of the local emergency; (2) its termination is ordered by the City Manager/Director of Emergency Services; or (3) it is duly terminated by the City Council. The Order may also be superseded by a duly enacted ordinance or order of the City Council expressly superseding this Order.

ORDERED by the City Manager/Director of Emergency Service this 9th day of April, 2020.

DocuSigned by:

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Paul Arevalo, City Manager and Director of
Emergency Services
City of West Hollywood

DocuSigned by:

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Yvonne Quarker, City Clerk