



**REVISED ORDER OF THE CITY MANAGER OF THE CITY
OF LAGUNA BEACH IN HIS CAPACITY AS DIRECTOR OF
DIRECTOR OF EMERGENCY SERVICES**

DATE OF REVISED ORDER:

APRIL 15, 2020

DATE OF ORIGINAL ORDER:

APRIL 9, 2020

Please read this Order carefully. Violation of or failure to comply with this Order is a crime. Violators are also subject to civil enforcement actions including civil penalties of up to \$500 per violation per day, injunctive relief, and other relief. (Penal Code section 19; Government Code section 8665; Laguna Beach City Council Resolution No. 20.017 [City Manager authorized to establish emergency orders, rules and regulations]; Laguna Beach Municipal Code Sections 2.16.060 [Director of Emergency Services authority to make and issue rules and regulations on matters reasonably related to the protection of life and property]; 2.16.100 [misdemeanor to violate any lawful rule or regulation issued pursuant to the Disaster Council chapter of Municipal Code]; and 1.04.025 [discretion to prosecute Municipal Code violations as administrative citations or infractions].)

Under the Authority of California Constitution Article XI, California Government Code Sections 8610, 8630, 8634, and 8665, Laguna Beach Municipal Code Sections 2.16.060, 2.16.100 and 1.04.025, and Laguna Beach City Council Resolution 20.017, the Director of Emergency Services of the City of Laguna Beach orders:

Effective 12:00 a.m. on Friday, April 10, 2020, and continuing through the expiration of the Governor's Executive Order N-33-20 (as may be extended), the following will be in effect for the City:

1. Executive Order N-33-20 issued by the Governor of the State of California ("Executive Order") mandates that all individuals living in the State of California stay home or at their place of residence, except as needed to maintain continuity of operations of essential services sectors, as updated by the State Public Health Officer ("Essential Workers").

On April 1, 2020 the California Department of Public Health ("CDPH") issued guidance recommending the use of face coverings while in public. On April 2, 2020, the Orange County Health Officer recommending wearing a cloth face covering when leaving the house for essential activities. On April 4, 2020, the Centers for Disease Control and Prevention ("CDC") recommended wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies), especially in areas of significant community-based transmission of COVID-19. On April 8, 2020, the Orange County Public Health Officer issued a

recommendation, strongly encouraging Essential Workers to wear non-medical grade masks or face coverings while at work to help prevent the spread of COVID-19.

2. In conformance with, and where not superseded by the Executive Order and guidance from the CDC, CDPH, and the Orange County Public Health Officer, this Order additionally specifies, and orders as follows:
 - a. Essential businesses and services within the City that provide sales of retail goods and/or food and/or banking services - including without limitation, grocery stores, pharmacies, home improvement stores, gas station convenience stores, restaurants providing take-out or delivery services, banks, savings and loans, and credit unions, construction sites - that remain in operation during the term of this Order ("Covered Businesses") shall cause their employees to wear face coverings, such as scarves (dense fabric, without holes), bandanas, neck gaiters, or other fabric face coverings. All persons, including Essential Workers, are discouraged from using medical grade personal protective equipment, such as N95 masks, for non-medical reasons.
 - b. Covered Businesses shall, and shall cause their employees to, follow the Social Distancing and Infection Control Guidelines published by the CDC and CDPH. All essential businesses must identify and cause all required measures to be implemented as necessary to ensure social distancing and sanitation at that particular facility. If the measures identified and implemented are not effective in maintaining proper social distancing and sanitation, additional measures shall be identified and implemented, or the facility shall be closed.
 - c. **Effective 12:00 a.m. on Thursday, April 16, 2020, and continuing through the expiration of the Governor's Executive Order N-33-20 (as may be extended), Covered Businesses shall cause their customers to follow the Social Distancing and Infection Control Guidelines published by the CDC and CDPH. In addition, Covered Businesses shall cause their customers to wear face coverings, such as scarves (dense fabric, without holes), bandanas, neck gaiters, or other fabric face coverings, when entering and remaining in such businesses.**
 - d. All members of the public are strongly urged to wear face coverings over their nose and mouth when likely to come into close proximity to others in public and private areas who are not members of their household.
3. This Order shall be effective immediately and will remain in effect until the expiration of the Executive Order, including any extensions. Notwithstanding the foregoing, the City shall not impose penalties for violations of the Original Order until Monday, April 13, 2020 for grocery stores to comply and until Friday, April 17, 2020 for all other essential businesses. The City shall not impose penalties for violations of the Revised Order (section 2.c above) until Friday, April 17, 2020.
4. This Order is issued as a result of the worldwide pandemic of COVID-19 disease, also known as "novel coronavirus," which has infected over one million individuals worldwide in over 180 countries and is implicated in over 75,000 worldwide deaths, including over 900

cases and 14 deaths in Orange County. These numbers grow every day.

5. This Order is issued based on evidence of increasing transmission of COVID-19 both within the City of Laguna Beach and worldwide, scientific evidence regarding the most effective approach to slow transmission of communicable diseases generally and COVID-19 specifically, as well as best practices as currently known and available to protect the public from the risk of spread of or exposure to COVID-19.
6. This Order is intended to reduce the likelihood of exposure to COVID-19, thereby slowing the spread of COVID-19 in communities worldwide. This Order is issued to prevent circumstances often present in Covered Businesses that may exacerbate the spread of COVID-19, such as: (1) the increased likelihood that retail, restaurant, and banking transactions attract people from a broad geographic area; (2) the prolonged time period in which large numbers of people are in close proximity; and (3) difficulty ensuring that such persons (patrons and employees) follow adequate hygienic practices.
7. This Order is intended to address the strain upon the health care system from the effects of the COVID-19 virus. Similarly, this Order is intended to reduce the likelihood of exposure to COVID-19, thereby slowing the spread of COVID-19 in communities worldwide.
8. This Order is issued in accordance with, and incorporates by reference: the March 4, 2020 Proclamation of a State Emergency issued by Governor Gavin Newsom; the February 26, 2020 Declaration of Local Health Emergency based on an imminent and proximate threat to public health from the introduction of novel COVID-19 in Orange County; the March 17, 2020 proclamation of a local State of Emergency by the Director of Emergency Services; the March 24, 2020 ratification of the proclamation of a local State of Emergency by the City Council pursuant to Resolution 20.017; the guidance issued on March 11, 2020 by the CPDH regarding large gatherings of 250 people or more; the guidance issued on March 15, 2020 by the CDC, the CDPH, and other public health officials through the United States and around the world recommending the cancellation of gatherings involving more than fifty (50) or more persons in a single space at the same time; the March 18, 2020 order of the Orange County Health Officer prohibiting all "gatherings" as defined by the CDPH; Governor Newsom's Executive Order N-33-20 of March 19, 2020 ordering all persons to stay at home to protect the health and well-being of all Californians and to establish consistency across the state in order to slow the spread of COVID-19; the April 1, 2020 guidance from the CDPH recommending the use of face coverings while in public; the April 2, 2020 guidance issued by the Orange County Public Health Officer recommending the use of a cloth face covering when leaving the house for essential activities; the April 4, 2020 guidance issued by the CDC recommending wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies), especially in areas of significant community-based transmission of COVID-19; and the April 8, 2020 recommendation issued by the Orange County Public Health Officer strongly encouraging Essential Workers to wear non-medical grade masks or face coverings to help prevent the spread of COVID-19. Emergency management and public health officials at the federal, state, and county levels continue to issue guidance to slow the spread of COVID-19.

9. Violation of this Order is a crime and may also be pursued as an administrative fine, an infraction, or a misdemeanor, in the City's sole and absolute discretion. (Penal Code section 19; Government Code section 8665, and Laguna Beach Municipal Code Sections 2.16.060, 2.16.100 and 1.04.025.)
10. Copies of this Order shall promptly be: (1) made available at the City of Laguna Beach City Hall located at 505 Forest Avenue, Laguna Beach, CA 92651; (2) posted on the City of Laguna Beach's website (www.lagunabeachcity.net); and (3) provided to any member of the public requesting a copy of this Order.

DATED: April 15, 2020



John Pietig
Director of Emergency Services/City Manager
City of Laguna Beach