

RESOLUTION NO. 20-5267

RESOLUTION OF THE WEST HOLLYWOOD CITY COUNCIL RATIFYING EMERGENCY EXECUTIVE ORDER OF THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF WEST HOLLYWOOD IMPLEMENTING EMERGENCY MEASURES TO ASSIST LOCAL BUSINESSES THROUGH THE COVID-19 CRISIS AND APPROVING ADDITIONAL EMERGENCY MEASURES

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES HEREBY FIND, ORDER, AND RESOLVE AS FOLLOWS:

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 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.
- J. 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 2.80.60.1.1.1.1.1.1 (6)(a) of the West Hollywood Municipal Code.
- K. As a result of state and county public health orders, local businesses are experiencing forced closure or major change in operation, or intense increased demand for goods, both of which are challenging during this unprecedented health pandemic. Access to food and essential items has become a major concern because stores are implementing social distancing practices which create long lines and delivery services do not have capacity to meet demand. Additionally, stores are having a hard time maintaining essential items stocked and shoppers are responding by purchasing essential products in large quantities resulting in empty shelves and stores unable to maintain essential products.
- L. The County Health Order and Department of Alcoholic Beverage Control are allowing takeout and delivery of food and alcohol to facilitate continued business operations at restaurants and other establishments, and these important practices require some flexibility in local requirements.
- M. This Ratification and 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 Ratification and Order facilitates access to food, essential goods, and medication and assists the local business community in dealing with the extreme economic challenges it is facing as a result of measures to slow the spread of COVID-19, and provides relief from various city deadlines during this unprecedented period of self –quarantine, self-isolation and social distancing.

SECTION 2. Executive Order 2020-1 issued by the Director of Emergency Services is hereby ratified.

SECTION 3. The City Council orders as follows:

- A. Assessments for the businesses included as part of the Sunset Strip Business Improvement District are deferred from March 2, 2020 until July 1, 2020, and any late fees and/or penalties are waived.
- B. The effective period for Outdoor Dining Encroachments and/or Valet Meter Encroachment Permits are tolled during the period of local emergency, and the remaining time on their paid encroachments will extend accordingly after the period of local emergency.
- C. The required time for all posted notices for planning projects shall be extended for ten (10) additional calendar days after completion of the standard posting time period stipulated in the Zoning Ordinance.
- D. The deadlines under the City’s seismic retrofit ordinance are tolled during the period local emergency plus one month.
- E. The Cannabis Café may obtain a temporary medical license for the period of the local emergency.

SECTION 4. 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 5. Effective Date and Termination. This Resolution and 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.

Resolution No. 20-5267

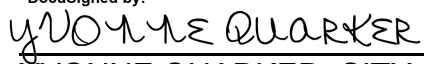
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PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 6<sup>th</sup> day of April, 2020 by the following vote:

AYES:	Councilmember:	Duran, Heilman, Meister, Mayor Pro Tempore Horvath, and Mayor D'Amico.
NOES:	Councilmember:	None.
ABSENT:	Councilmember:	None.
ABSTAIN:	Councilmember:	None.

DocuSigned by:  
  
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JOHN D'AMICO, MAYOR

ATTEST:

DocuSigned by:  
  
YVONNE QUARKER, CITY CLERK