

WEST HOLLYWOOD  
DIRECTOR OF EMERGENCY SERVICES

EXECUTIVE ORDER NO. 2020-15

EMERGENCY EXECUTIVE ORDER OF THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, IMPLEMENTING EMERGENCY MEASURES TO ORDER THE REOPENING OF PLAYGROUNDS IN CITY PARKS ADOPTED TO PREVENT THE FURTHER SPREAD OF COVID-19

SECTION 1. RECITALS

- A. All of the recitals in West Hollywood Director of Emergency Services Executive Order Nos. 2020-1, 2020-2, 2020-3, 2020-4, 2020-7, 2020-8, 2020-9, 2020-10, 2020-11, 2020-12, 2020-13 and 2020-14 remain in effect and are incorporated herein by reference.
- B. Following the adoption of the first iteration of the State and County stay-at-home orders, members of the public flocked to City parks and other outdoor recreation areas. This made it difficult to maintain a “social distance” from members who are not part of the same household. In order to prevent further community transfer of the disease, the City Manager adopted Executive Order 2020-02 on April 9, 2020, to, among other things, order the immediate closure of City parks. On June 15, 2020, the City Manager adopted Executive Order No. 2020-07 to reopen City parks under new public health requirements intended to limit the transfer of the disease. Under this order, playgrounds remain closed.
- C. On July 23, 2020, the City Manager adopted Emergency Executive Order 2020-09, closing Plummer Park and West Hollywood Park, following numerous reports to City staff and the Sheriff’s Department, that visitors of City parks have been witnessed not complying with park rules adopted to curb the spread of COVID-19. Visitors had reportedly failed to comply with the City’s face covering requirement and have altered/and or destroyed protective barriers intended to keep playgrounds closed. The closures were intended to safeguard the public health and safety of City residents by ordering the closure of city parks where visitors have reportedly refused to comply with the State, County and local face covering requirements and social distancing measures that are intended to and have been demonstrated to help reduce community transmission of COVID-19.
- D. Executive Order No. 2020-09 was ratified by the City Council on August 3, 2020. In order to ensure adequate opportunities for outdoor recreation and fresh air, which are important during this time where individuals are encouraged to stay home as much as possible, the City began developing a limited reopening plan. The reopening plan provided opportunities for safe outdoor recreation, by creating

a reservation system for individuals to reserve park space provided the visitors comply with park rules.

- E. Based on successful limited reopening of parks under Executive Order 2020-10, reported slowing of the spread of COVID-19 throughout the county and compliance with local park health guidelines, the City Manager issued Executive Order No. 2020-11 to lift the restrictions on West Hollywood and Plummer Park while maintaining the optional park reservation system for park users desiring to reserve a socially distanced space at the park. Under this Order, playgrounds remain closed. Executive Order No. 2020-11 was ratified on September 21, 2020.
- F. Recent evidence from the LA County Health Department demonstrates that confirmed COVID-19 cases and hospitalizations have declined. As a result, the County Health Officer updated its Public Health Order on October 1, 2020, to allow outdoor playgrounds to reopen at the discretion of its local governing body. The City desires to clarify its existing orders that playgrounds may now reopen under thereby allowing City residents and their families additional opportunities to engage in much needed outdoor recreation. All other measures applicable to City parks adopted during the pendency of the local emergency remain unchanged.
- G. 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.
- H. 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 clarifies that playgrounds may also now reopen. subject to park rules intended to prevent the spread of COVID-19.

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. Section 2(A)(4)(g) of Executive Order No. 2020-12 is amended to state that:

g. Exercise equipment remains closed.

B. Playgrounds in City parks may reopen subject to the requirements established in the Los Angeles County Health Officer's "Reopening Protocol for Outdoor Playgrounds," as that protocol, or county authorization to open, may be amended or rescinded from time to time.

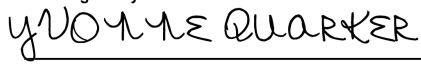
C. All other requirements adopted by the City Council and the Director of Emergency Measures during the pendency of the local emergency, and that are applicable to City parks, remain unchanged.

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 12th day of October, 2020.

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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