

WEST HOLLYWOOD
DIRECTOR OF EMERGENCY SERVICES

EXECUTIVE ORDER NO. 2022-001

EMERGENCY EXECUTIVE ORDER OF THE CITY
MANAGER/DIRECTOR OF EMERGENCY SERVICES OF THE
CITY OF WEST HOLLYWOOD, CALIFORNIA CONTINUING
TO REQUIRE ALL PERSONS TO WEAR FACE COVERINGS
WHILE VISITING INDOOR CITY FACILITIES

SECTION 1. Recitals.

- A. The new coronavirus 19 (“COVID-19”) is a disease caused by a virus that spreads easily from person to person and may result in serious illness or death.
- B. On March 16, 2020, the City Council of the City of West Hollywood proclaimed the existence of a local emergency in response to new cases of COVID-19, authorizing the City Manager to exercise the emergency powers necessary to take extraordinary measures to prevent death or injury of persons and to protect the public peace, safety and welfare, and alleviate damage, loss, hardship or suffering.
- C. On March 19, 2020, the Governor of the State of California 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 the continuity of operations of specified federal critical infrastructure sectors. In response to the Los Angeles County Health Officer’s orders that progressively allowed outdoor recreation activities to resume and businesses to reopen, the City issued Executive Order No. 2020-003 on May 14, 2020, to require members of the public to wear face coverings (subject to specified exemptions).
- D. On May 3, 2021, the City adopted Resolution No. 21-5402, terminating and superseding City regulations requiring members of the public to wear face coverings to align with the face covering requirements issued by the Los Angeles County Public Health Order dated April 29, 2021, which became effective on April 30, 2021. Resolution No. 21-5402 also requires that any subsequent amendments to the face covering requirements set forth in the County Health Order shall apply to the City as of their respective dates.
- E. Since Resolution no. 21-5402 was adopted, the public health community’s response to mitigating the spread of COVID-19 has changed over time in response to the fluctuating presence of the disease. Fortunately, the County of Los Angeles is currently experiencing a consistent decline in confirmed cases, test positivity rates, and related hospitalizations. However, federal CDC indicators and thresholds measuring community transmission of COVID-19 in the County continues to be at a substantial level.

- F. On February 28, 2022, the State Public Health Officer issued a public health order amending its requirement that unvaccinated individuals wear masks in indoor settings (in e.g., retail, restaurants, theaters, family entertainment centers, meetings, state, and local government offices serving the public) to a strong recommendation that all persons regardless of vaccination status continue indoor masking. Further, consistent with CDC recommendations, all persons, regardless of vaccination status shall continue to be required to wear masks in specified high risk settings. The State's February 28th order also recognizes that local government entities, businesses and venues may choose to continue requiring more protective infection control precautions for their customers, visitors, and workers
- G. In alignment with the State's February 28, 2022, order, the Los Angeles County Public Health Officer issued an amended order on March 3, 2022, updating (among other provisions) its face covering regulations effective March 4, 2022. Under this order and commencing on March 4, 2022, masking will continue to be strongly recommended but no longer required in most indoor settings. Effective March 4, 2022, masking will continue to be required for all persons, regardless of vaccination status in higher transmission risk settings like on public transit and in transportation hubs, all health care settings, correctional facilities, and detention centers, emergency shelters, cooling and heating centers, homeless shelters and long-term care settings and adult and senior care centers. The County's order also cautions the public that the recent decline in cases does not mean that the pandemic is over or that there will not be additional unpredictable waves of surges that will require monitoring and may require implementing strategies to meet changing mitigation needs.
- H. During the pendency of the Local Emergency and Statewide State of Emergency, the City Manager, as 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.
- I. COVID-19 continues to present an imminent threat to the health and safety of City of West Hollywood residents, employees, and visitors and once again, the situation is shifting rapidly. While a countywide indoor mask requirement has been lifted, indoor masking is still strongly encouraged by health officials. Additionally, with the rapidly shifting situation, the city has not had an opportunity to shift its operations in a manner that allows City Employees and Officials to provide City Services at City Facilities in a safe and healthy manner. The disease can still spread rapidly through person-to-person contact and to those in close proximity and is airborne. When people wear well-fitting masks with good filtration correctly, they protect others as well as themselves.
- J. 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 mitigate the spread of COVID-19.

NOW, THEREFORE, I, David A. Wilson, the City Manager/Director of Emergency Services for the City of West Hollywood, do hereby issue the following order to become effective immediately.


SECTION 2. Emergency Measures.

- A. Notwithstanding the Los Angeles County Public Health Order issued on March 3, 2022 and any amendments thereto, all persons 2 years of age and older are required to wear a face mask while visiting indoor portions of “City Facilities” through close of business on April 1, 2022. “City Facilities” shall be interpreted to include City buildings and areas of City parks where City employees, City contractors and/or members of the public are present to conduct city business and/or utilize City Services or Facilities. All other non-conflicting provisions of the Los Angeles County’s Health Order issued on March 3, 2022 related to the use of face masks shall continue to apply in the City. Face masks shall have the same meaning as the term is used in the March 3, 2022, Los Angeles County Public Health Order (as may be amended).
- B. Resolution No. 21-5402 adopted by the City Council of the City of West Hollywood on May 3, 2021, is hereby superseded to allow for the implementation of the emergency measures in Paragraph (A) of Section 2 of this Order.
- C. The emergency measures in Paragraph (A) of Section 2 of this Order shall supersede any conflicting mask regulations previously enacted by the City of West Hollywood.

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. This Order is adopted in response to the local state of emergency and accordingly is enforceable by way of imposing an administrative citation pursuant to Section 2 of Urgency Ordinance No. 1107U (in addition to any other available enforcement remedies).

ORDERED by the City Manager/Director of Emergency Services this 4th day of March 2022.

DocuSigned by:

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David A. Wilson, City
Manager and Director of
Emergency Services
City of West Hollywood

DocuSigned by:

Melissa Crowder

Melissa Crowder, City Clerk