

**CITY OF HERMOSA BEACH  
DIRECTOR OF EMERGENCY SERVICES**

**EXECUTIVE ORDER NO. 2020-04**

**EMERGENCY EXECUTIVE ORDER OF THE CITY  
MANAGER/DIRECTOR OF EMERGENCY SERVICES OF  
THE CITY OF HERMOSA BEACH, CALIFORNIA TO  
EXTEND THE DURATION OF PROTECTIVE MEASURES  
ENACTED IN CITY OF HERMOSA BEACH RESOLUTION  
NO. 20-2730 TO COMBAT THE FURTHER SPREAD OF  
COVID-19 AND TO ORDER RESUMPTION OF STREET  
SWEEPING**

**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 15, 2020, the Mayor, Mary Campbell declared a local emergency to ensure an effective City response to COVID-19. At a special meeting on March 16, 2020, the City Council adopted Resolution No. 20-7230, approving and ratifying the declaration of emergency.
- 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

1 people are expected to attend, (2) puts limits and regulations on gatherings of  
2 10-49 people, (3) limits restaurants to drive-through/takeout/delivery only, and  
3 (4) closes bars (that don't serve food), gyms, movie theaters, etc.

- 4 G. The Centers for Disease Control and Prevention, the California Department of  
5 Health, and the Los Angeles County Department of Public Health have all  
6 issued recommendations including but not limited to strict adherence to social  
7 distancing guidelines, canceling or postponing group events, working from  
8 home, and other precautions to protect public health and prevent transmission of  
9 this communicable virus. Other counties throughout the state have similar  
10 directives.
- 11 H. On March 19, 2020, the Los Angeles County Public Health Officer issued a  
12 second countywide order, the 'Safer at Home' Order, which was further  
13 clarified on March 21, 2020. This public health order prohibits all public and  
14 private group gatherings and events and requires people to stay in their homes  
15 with limited exceptions; and requires closure of all non-essential retail  
16 businesses, shopping centers, playgrounds for children, bars, nightclubs, movie  
17 theaters and all similar gathering places. The purpose of the order is to further  
18 restrict, and limit gathering of persons and require closures of non-essential  
19 retail businesses in an effort to stem or slow the spread of the virus.
- 20 I. On March 19, 2020, the Governor of the State of California, also issued  
21 Executive Order N-33-20, an Order of the State Public Health Officer ordering  
22 all individuals living in California to stay home or at their place of residence  
23 except as needed to maintain continuity of operations of outlined federal critical  
24 infrastructure sectors.
- 25 J. On May 13, 2020, the Los Angeles County Public Health Officer issued a  
26 Revised Order entitled "Continuation of Safer at Home Order that begins to  
27 move the County of Los Angeles into Stage 2 of the County's Roadmap to  
28 Recovery" ("May 13 Revised Order") that (i) allows specified "Lower Risk  
Retail Businesses" to reopen for curbside, doorside, outdoor or outside pick-up,  
(ii) partially and conditionally re-opens public beaches for certain types of  
active recreation, and (iii) re-opens additional recreational opportunities.
- K. On May 14, 2020 the City Manager and Director of Emergency Services issued  
Executive Order No. 2020-03, implementing emergency measures to prevent  
the spread of COVID-19, to areas within the City as it begins to reopen as the  
State gradually progresses into Stage 2.
- L. Although State Public Health Guidance reports that California is on track to  
gradually modify the statewide Safer at Home order, with no vaccine or proven  
treatment available, COVID-19 remains a serious public health threat. COVID-

19 can easily spread through person-to-person contact, and the risk of transmission is increased when people are in close proximity.

- 2 M. During the term of the local emergency and statewide state of emergency, the  
3 Director of Emergency Services is empowered: “[to] make and issue rules and  
4 regulations on matters reasonably related to the protection of life and property  
5 as affected by such emergency; provided, however, such rules and regulations  
6 must be confirmed at the earliest practicable time by the City Council. . .” under  
7 Section 2.56.060 (A) of the Hermosa Beach Municipal Code.
- 8 N. Failure to abide by public health directives is unsafe and dangerous in this  
9 unprecedented time of a worldwide health pandemic. Violations of or failure to  
10 comply is a crime punishable by fine, imprisonment, or both.
- 11 O. This Order is adopted pursuant to the City’s police powers and powers afforded  
12 to the City in time of national, state, county and local emergency during an  
13 unprecedented health pandemic, such powers being afforded by the State  
14 Constitution, State law, and the Section 2.56.060 of the Hermosa Beach  
15 Municipal Code to protect the peace, health, and safety of the public, and to  
16 protect life and property as affected by the emergency.

17 **SECTION 2.** On March 16, 2020, the City Council adopted Resolution No. 20-7230 to ratify  
18 the Mayor’s proclamation of local emergency and issue emergency orders to  
19 combat the spread of COVID-19 pursuant to the authority prescribed in  
20 Hermosa Beach Municipal Code Section 2.56.090.

21 **SECTION 3.** Pursuant to the authority granted to the City Manager under Section 2.56.060 of  
22 the Hermosa Beach Municipal Code, the City Manager and Director of  
23 Emergency Services now seeks to extend the duration of the emergency orders  
24 listed in Section 5 of Resolution No. 20-7230, as revised and restated below.  
25 The following emergency orders are issued effective as of the date set forth  
26 below and shall supersede any previous emergency orders inconsistent  
27 herewith:

- 28 A. All restaurants, alcohol beverage establishments and snack shops in the City are  
hereby ordered closed to onsite patronage; *provided, however*, that (i) take-out  
orders and delivery of meals are permitted, provided that take-out orders are  
picked up by way of a drive-through window or by a single person and the  
establishment maintains social distance in any necessary queuing of patrons,  
and (ii) outdoor dining will be permitted upon issuance of and as provided in  
Executive Order 2020-05.
- B. All gyms and fitness centers are hereby ordered closed in accordance with the  
March 16, 2020 Order of the Health Officer of the Los Angeles County  
Department of Public Health.

- 1 C. All formal and informal organized and group activities of any size, including  
2 but not limited to all games and sports, with the exception of family outings and  
3 use of the City's tennis and pickleball courts in accordance with City  
4 regulations, are hereby prohibited in all City parks, the beach, Pier Plaza and  
5 other public spaces.
- 6 D. Access to play structures and exercise equipment in all City parks, the beach,  
7 and the Greenbelt is hereby prohibited.
- 8 E. The City shall post signs at all City parks, the Greenbelt, the beach, Pier Plaza  
9 and the Strand advising that:
- 10 i. COVID-19 is known to survive on various surfaces such as children's  
11 play equipment, bathroom surfaces, tables, benches, railings and other  
12 fixtures, for 72 or more hours;
- 13 ii. Users of public spaces shall maintain social distance as prescribed by  
14 Beach Cities Health District, as provided in Exhibit 1 attached hereto;  
15 and
- 16 iii. Users of public spaces with symptoms consistent with COVID-19  
infection are encouraged to isolate themselves at home and contact their  
health care provider, or if they do not have a health care provider, the  
Los Angeles County Department of Health to assist with receiving  
prompt diagnosis and care.

17 **SECTION 4.** In addition to the emergency orders listed in Section 3 above, the City Manager  
and Director of Emergency Services further orders that:

- 18 A. The enforcement of City street sweeping restrictions suspended on March 16,  
19 2020, as a part of the City's effort to combat COVID-19, shall resume on June  
20 8, 2020.

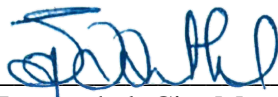
21 **SECTION 5.** Severability. If any section, subsection, sentence, clause, phrase or word of this  
22 Order is found to be unconstitutional or otherwise invalid by any court of  
23 competent jurisdiction, such decision shall not affect the remaining provisions  
of this Order.

24 **SECTION 6.** Effective Date. This Order shall become effective immediately and shall  
25 supersede any previous emergency orders. The Order may be superseded by a  
26 duly enacted ordinance or order of the City Council expressly superseding this  
27 Order.

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**ORDERED** by the City Manager/Director of Emergency Service this 22nd day of May, 2020.

**ATTEST:**

  
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Suja Lowenthal, City Manager and  
Director of Emergency Services

  
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Eduardo Sarmiento, City Clerk