

RESOLUTION NO. 20-0094

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL CONFIRMING EMERGENCY ORDER NOS. 8 THROUGH 15 ISSUED BY THE DIRECTOR OF EMERGENCY SERVICES DURING THE LOCAL EMERGENCY PROCLAIMED TO ADDRESS COVID-19

WHEREAS, 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 has been named “coronavirus disease 2019,” abbreviated COVID-19 (“COVID-19”);

WHEREAS, 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 broader spread of COVID-19;

WHEREAS, 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;

WHEREAS, on March 13, 2020, the City Council adopted Resolution No. 20-0039, A Resolution of the City Council of the City of Manhattan Beach Proclaiming the Existence of a Local Emergency;

WHEREAS, the City Manager is the Director of Emergency Services in the City of Manhattan Beach. Pursuant to Manhattan Beach Municipal Section 3.08.060.A.6.a, the City Manager as the Director of Emergency Services is empowered during a local emergency to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency. Such rules and regulations must be confirmed by the City Council;

WHEREAS, on May 12, 2020, the City Council adopted Resolution 20-0051, which confirmed the seven emergency orders issued by the Director of Emergency Services prior to that date;

WHEREAS, since May 12, 2020, the Director of Emergency Services has issued a number of Emergency Orders to address the spread of COVID-19; and

WHEREAS, in the interest of the public health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary for the City Council to confirm Director of Emergency Services Orders issued during the local emergency proclaimed to address COVID-19 in accordance with Chapter 3.08 of the Manhattan Beach Municipal Code, Manhattan Beach City Council Resolution

No. 20-0039, and the California Emergency Services Act, Chapter 7 (commencing with Section 8550) of Title 2 of the Government Code.

NOW, THEREFORE, THE MANHATTAN BEACH CITY COUNCIL DOES HEREBY DECLARE, FIND, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The recitals set forth above are true and correct and are incorporated into this Resolution by reference.

Section 2. The City Council hereby confirms the following Emergency Orders issued by the Director of Emergency Services during the local emergency proclaimed to address COVID-19, each of which incorporated by this reference:

- A. Emergency Order No. 8 (Partial Reopening of Parks)
- B. Emergency Order No. 9 (Reopening of the Strand)
- C. Emergency Order No. 10 (Outdoor Dining & Business Use)
- D. Emergency Order No. 11 (Amendment to Outdoor Dining & Business Use)
- E. Emergency Order No. 12 (Extending Hearing Deadline for Administrative Appeals)
- F. Emergency Order No. 13 (Face Covering Requirement)
- G. Emergency Order No. 14 (Amending Emergency Order No. 13 Face Covering and Social Distancing Violations)
- H. Emergency Order No. 15 (Outdoor Personal Care Uses, Fitness Establishments, Gyms, Hair Salons, and Barbershops)

Section 3. If any section, subsection, sentence, clause, or phrase of this Resolution or the emergency orders confirmed herein is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution or the emergency orders. The City Council hereby declares that it would have passed this Resolution and confirmed the emergency orders and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of such Resolution or the emergency orders would be subsequently declared invalid or unconstitutional.

Section 4. The City Clerk shall certify to the passage and adoption of this Resolution.

ADOPTED on August 4, 2020.

ATTEST:

RICHARD MONTGOMERY
Mayor

LIZA TAMURA
City Clerk