



Glendale Public Order No. 2020-13

Under City of Glendale Emergency Authority

Issue Date: July 30, 2020

Waiver of Permit Application Fees and Allowance of Temporary Certificates of Occupancy for Outdoor Operations of Retail Establishments

Whereas, on March 16, 2020, the City Council of the City of Glendale, pursuant to Glendale Municipal Code Chapter 2.84, declared a local emergency. This was necessitated by the growing concern over the Coronavirus Disease 2019 (COVID-19), a severe acute respiratory illness caused by a novel (new) coronavirus. Symptoms of the virus include fever, cough, and shortness of breath, and infected individuals have experienced a range of outcomes, from mild sickness to severe illness and death. The number of confirmed cases has continued to escalate dramatically over a short period of time. The Centers for Disease Control and Prevention advises us that COVID-19 spreads easily from person to person and has issued guidelines recommending that the public adopt policies and routines to enable social distancing wherever possible. In addition, on March 16, 2020, the City Council also ordered the closure of and limitation of access to certain public establishments;

Whereas, the City of Glendale has redoubled its efforts to maintain hand hygiene, respiratory etiquette, and social distancing. It is absolutely critical that we as a City do everything we can to slow the pace of community spread and avoid unnecessary strain on our medical system. To aid in our efforts, under the emergency authorities vested in the Director of Emergency Services pursuant to Chapter 2.84 of the Glendale Municipal Code, to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency, it is ordered that a series of temporary restrictions be placed on certain establishments throughout the City of Glendale in which large numbers of people tend to gather and remain in close proximity;

Whereas, on March 4, 2020, the Los Angeles County Board of Supervisors and the Department of Public Health declared a local and public health emergency in response to increased spread of coronavirus across the country; and the Glendale City Council adopted Resolution No. 20-29 consistent with the Los Angeles County's Safer at Home orders, ("County Order") which closed certain businesses, including retail establishments, gyms, personal care establishments, among other non-essential services;

Whereas, on May 15, 2020 Glendale's Resolution No. 20-29 expired and said businesses and activities continued to be regulated under the County Order;

Whereas, beginning on or about May 26, 2020, Los Angeles County Public Health Officer revised the County Order and has since made several additional revisions to allow for partial re-opening of certain businesses, including restaurants for dine-in services, retail stores for in-store shopping services, and other personal care establishments, if they meet the County protocols for re-opening;

Whereas on May 29, 2020, consistent with the County of Los Angeles adjustments to the Safer-at-Home Order, Glendale's Resolution No. 20-29 expired, and certain businesses in Glendale began to re-open and to return to work, if they met certain County protocols;

Whereas on July 1, 2020, California Gov. Gavin Newsom ordered a second shutdown of restaurants and indoor businesses in over 19 counties that have seen a recent surge in coronavirus cases, which included Los Angeles County, and the Los Angeles County Health Officer has ordered the same;

Whereas there remains a strong likelihood of a significant and increasing number of cases of community transmission, when individuals who contract the virus causing COVID-19 have no symptoms or have only mild symptoms, and so are unaware that they carry the virus and are transmitting it to others, and for such reasons, the County of Los Angeles Health Officer continues to prohibit social gatherings within the county;

Whereas public health orders limiting public health orders has severely hampered certain economic activity in the City and the City of Glendale is taking steps to offer direct assistance to the local economy in response to the economic impacts presented by COVID-19 and considering ways in which the City can support local business, among the recommendations included implementing means for certain businesses to function outdoors, while still maintaining and complying with the necessary health and safety standards of the business which are detailed in the County of Los Angeles return to work protocols;

Whereas, allowing certain businesses to operate outdoors will advance the goals of economic recovery, while observing public health orders and protocols; and

Whereas, the Director of Emergency Services finds that it is in the public interest, and to the benefit of public health and safety, to waive permit application fees and expand the place of sale and operation to include the outdoors, subject to all applicable public health orders and protocols.

Now therefore, by virtue of the authority granted pursuant to Chapter 2.84 of the Glendale Municipal Code, the Director of Emergency Services issues the following order, effective immediately and until December 31, 2020:

Section 1. Consistent with the requirements of Chapter 5.96 of the Glendale Municipal Code, (GMC), any retail establishment operating within the City of Glendale that alters business operations in response to COVID-19 and requires a temporary permit to accomplish those changes in operations to allow for retail sales on sidewalks or outdoor spaces within their private property:

- The Sidewalk Dining Permit and the Addendum to the Sidewalk Dining Permit shall be required for sales on sidewalks and a Temporary Certification of Occupancy shall be required for sales on outdoor spaces within their private property;
- The permit application fee is waived for temporary uses exercised pursuant to the temporary certificate of occupancy;

Notwithstanding Title 30 or any other provision of the GMC, during the pendency of this Public Order, the commercial activities described herein are permitted to occur outdoors;

- For purposes of the Public Order, outdoor spaces within their private property includes parking lots, where no more than 50% of the lot may be utilized for such purpose. Businesses that share parking lots who cannot adhere to the 50% minimum parking requirement are eligible for reduced parking contingent upon a successful petition process of their neighbors who share that parking lot.

Section 2. This Public Order shall not apply to retail establishments or sidewalk sales of products that require a minimum age for purchase, such as tobacco or alcohol.

Section 3. This Public Order does not and shall not be construed to allow any business or individual to operate in a manner that violates any public health orders or protocols of the State of California, Los Angeles County Public Health Officer, and the City of Glendale, including but not limited to those pertaining to gatherings, indoor dining, social distancing and face coverings.

Section 4. Violation of this Public Order may result in the revocation of the temporary certificate of occupancy. Any violation of the County Order shall be a violation of this Public Order and thereby a violation of the Glendale Municipal Code. Any violation of this Public Order may be referred to the Office of the City Attorney for prosecution under Glendale Municipal Code Chapter 1.20, which provides for fines not to exceed \$1,000 or imprisonment not to exceed six months. Each individual officer should use his/her discretion in enforcing this order and always keep the intent of the order in mind. Violations may also be enforced by the provisions of Glendale Municipal Code Chapter 1.24, which shall provide, along with other enforcement mechanisms set forth therein, for fines of \$400 for the first citation, \$1,000 for the second citation, and \$2,000 for the third citation.

Day of July 30th, 2020

Time: 6:00 p.m.

By: 
Roubik Golanian
Acting Director of Emergency Services

Approved as to Form:
MICHAEL J. GARCIA, CITY ATTORNEY

By: 
Title: City Attorney
Date: 7/30/2020