

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENDALE,
CALIFORNIA, EXTENDING A PRIOR RESOLUTION ISSUING PUBLIC ORDERS FOR
FACE COVERINGS UNDER THE CITY OF GLENDALE EMERGENCY AUTHORITY
REGARDING COVID-19; AND FOR OTHER RELATED AND LAWFUL PURPOSES**

Whereas, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by 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; and

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; and

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

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; and

Whereas, on March 16, 2020, the City Council of the City of Glendale, pursuant to Glendale Municipal Code Chapter 2.84, declared the existence of a local emergency and ordered the closure of and limitation of access to certain public establishments; and

Whereas, the efforts undertaken by the citizens of the State of California, the County of Los Angeles and the City of Glendale over the past several months to reduce the spread of the coronavirus have shown enough success that the County's Health Officer continues to allow the careful, gradual return of more business, social, and other activities; and

Whereas, as the City adds these additional components of reopening, people will be increasingly interacting in person, creating a risk that viral transmission will increase and one of the strongest protections we, as a society, can implement as we continue to interact more in person is to increase our use of Face Coverings; and

Whereas, substantial scientific evidence shows that when combined with physical distancing and other health and safety practices like handwashing and regular disinfection of surfaces, wearing Face Coverings permits additional activities to be resumed in the safest possible way, and as we collectively go out into the community more, we need to have a corresponding increase in the steps we take to protect those around us. By doing so, we not only protect our fellow community members, but ultimately ourselves and our loved ones, especially those who are vulnerable due to age or health conditions; and

Whereas, by ensuring that people generally wear Face Coverings when in public, the City is better able to continue to open businesses and resume activities in a safer manner to the benefit of all and for these reasons, the Public Order regarding Face Coverings is revising to address generally the changes in the increase in activities; and

Whereas, on April 14, 2020, the City Council by Resolution No. 20-41, ratified and expanded Public Order No 2020-07 relating to face coverings; on May 12, 2020, extended it until June 3, 2020, by Resolution 20-55; revised it and extended it until June 30, 2020, by Resolution 20-62; by Resolution 20-94, extended it until July 31, 2020, by Resolution 20-111, extended it until August 31, 2020 and by Resolution 20-132, extended it until September 30, 2020; and

Whereas, currently both the County of Los Angeles and State of California public health officers require the use of face coverings, with limited exceptions, when out in public; and

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE that:

SECTION 1. Resolution No. 20-132, relating to emergency public order for face coverings, as amended and restated herein, is hereby extended until _____, 2020.

SECTION 2. Each person in the City must wear a Face Covering when outside the person's household, living unit, or other place they reside (when "Outside the Residence") at all times except as follows:

1. Children under the age of 2 (including infants) should not wear cloth face coverings. Those between the ages of 2 and 8 should use them but under adult supervision to ensure that the child can breathe safely and avoid choking or suffocation. Children with breathing problems should not wear a face covering.
2. A person does not need to wear a Face Covering when (i) alone or only with others from their household or living unit in any building or enclosed space, such as when at work, (ii) there is nobody else within six feet, and (iii) others, whether coworkers, customers, building staff, or members of the public, are not likely to be in the same space for more than a few minutes in the following few days. A Face Covering must be worn if the person is working or engaged in activities where others routinely are present, even if the person is alone at the time, due to the risk of contaminating surfaces that others may soon touch. By way of example and without limitation, a Face Covering must be worn if a person shares a desk or individual office with co-workers on an alternating schedule or in a space where equipment such as tools, supplies, copiers, or computers are shared. A Face Covering must also be worn by someone like a plumber, teacher, care assistant, or housecleaner who visits someone else's house or living space to perform work, and anyone who lives there should also wear a Face Covering when near the visitor. A Face Covering need not be worn when a person is alone in a private office or area that is not shared and not likely to be visited by others without prior warning, but if another person enters the immediate area and is likely to remain nearby, both people must put on a Face Covering for the duration of the interaction. And anyone who is preparing food or other items for sale or distribution to others is required to

wear a Face Covering at all times when preparing such food or other items, even if they are alone when doing so.

3. A person does not need to wear a Face Covering when in a motor vehicle and either alone or exclusively with other members of the same household or living unit, unless they must lower their windows for any purpose such as to interact with first responders, food service workers or others who are not members of their households.
4. A person does not need to wear a Face Covering when they can show wearing a Face Covering while working would create a risk to the person related to their work as determined by local, state, or federal regulators or workplace safety guidelines. A Face Covering should also not be used by anyone who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove the Face Covering without assistance. A person does not need to wear a Face Covering when wearing a Face Covering, while working outdoors, would create a risk to the person because the work requires substantial physical exertion, such as standing and walking for a significant portion of the work day, and can limit public access to 6 feet of the working area as well as appropriate physical distancing between co-workers.
5. Individuals with certain disabilities, engaging in the permitted activities are exempt from wearing face coverings if they adopt social distancing requirements and follow all governmental directives and the Los Angeles County Public Health protocols, which are available for download at: http://www.lapublichealth.org/media/Coronavirus/docs/HO_O/HO_Order_COVID19_Safer_at_Work_and_in_the_Community_05292020_FI_NAL_WithAppendices.pdf. For relevant businesses,
 - a. the protocols notice must be posted at or near the entrance to the facility so that it is easily viewable by the public and employees; and
 - b. copies of the protocols must be provided to each employee performing work at the facility; and
 - c. the business must provide evidence of its implementation of the protocols to any authority enforcing this Order upon demand.
6. A person does not need to wear a Face Covering when outdoors alone or with a member of their household or living unit and they have a Face Covering visible and immediately ready to cover the nose and mouth (such as hanging around their neck) and nobody else (other a member of their own household or living unit) is outdoors within 30 feet (10 yards) of them. It is recommended that people from the same household or living unit wear a Face Covering when outside, even if others are not nearby, any time others may appear without much notice. For reference, 30 feet is around the length of two cars end-to-end. When people are approaching each other and likely to pass in the coming seconds, they must put on their Face Coverings when they are within 30 feet. This 30-foot rule applies whether people are on the sidewalk, in a park, on a path or trail, or in any other outdoor area, and whether they are walking, running, biking, otherwise exercising, standing, or engaged in transportation such as using a motorcycle, skateboard, moped, or scooter. The 30 feet (10 yard) distance is used here to give people adequate time to put on a Face

Covering before the distance closes and the people are within six feet of each other, which puts them at greater risk for transmission of the virus. As more activities are permitted, more people will be near each other without much advance warning, making wearing a Face Covering essential when people are within 30 feet.

7. A person does not need to wear a Face Covering when (i) alone or only with members of their household or living unit, (ii) they are eating or drinking, whether indoors or outdoors, and (iii) nobody else is within six feet. In the context of foodservice such as a restaurant, guidelines issued by the state or in a separate Health Officer order or directive must be followed and may require servers to wear a Face Covering.
8. Public safety first responder personnel shall wear protective face coverings in accordance with guidance of the Centers for Disease Control and as mandated by City of Glendale departmental policies.

SECTION 3. Regardless of the exceptions listed above, a Face Covering is required as follows:

1. A person must wear a Face Covering when they are required by another Health Officer order or directive to wear a Face Covering, including when the requirement of the other order or directive is more restrictive than this Order.
2. A person must wear a Face Covering when they are working in any space where food or other goods are handled, prepared, or packaged for sale or distribution to others. This requirement does not apply when preparing food or items for members of a person's own household or living unit.
3. A driver or operator of any public transportation or paratransit vehicle, taxi, or private car service or ride-sharing vehicle must wear a Face Covering when driving, operating, standing, or sitting in such vehicle, regardless of whether anyone else is in the vehicle, due to the need to reduce the spread of respiratory droplets in the vehicle at all times. But drivers or operators of public transportation vehicles are permitted to remove a Face Covering when seated in the operator compartment of the vehicle at terminals, the vehicle is stopped, and there are no passengers onboard due to the physical separation of the operator compartment and cleaning protocols between drivers.

SECTION 4. The intent of this Order is to ensure that all people when outside the residence in the City as permitted by the Safer-At-Home Order wear a Face Covering to reduce the likelihood that they may transmit or contract the virus that causes COVID-19. In so doing, this Order will help reduce the spread of the virus and mitigate its impact on members of the public and on the delivery of critical healthcare services to those in need. All provisions of this Order must be interpreted to effectuate this intent.

SECTION 5. Employers must permit their employees to wash their hands at least every 30 minutes. All such employers must provide, at their expense, non-medical grade face coverings for their employees. All employers must ensure that their employees have access to clean, sanitary restrooms, stocked with all necessary cleansing products; or sanitizing agents required to observe hand sanitation protocols recommended by the Los

Angeles County Department of Public Health, provided at the employer's expense. All employers must implement social distancing measures for customers, visitors, and employees that provide a six-foot buffer, to the extent possible, between individuals. All customers and visitors must wear face coverings over their noses and mouths to provide additional protection for employees and customers. A business owner or operator may refuse admission or service to any individual who fails to wear face coverings as required by this Order. Additionally, all retail businesses are encouraged to install plexiglass to separate cashiers and customers at all points of sale. Operators may refuse admission or service to any person who fails (1) to wear a face covering as required by the Order, or (2) to adhere to the social (physical) distancing requirements stated in the County Department of Health's Safer at Home Order or specified in guidance or protocols established by the County of Los Angeles Department of Public Health. Operators shall take all reasonable steps to ensure that persons who are standing in line to enter the business or who have entered the business (a) wear a face covering, unless an exemption in the Order applies, and (b) adhere to the social (physical) distancing requirements stated in the County Department of Health's Safer at Home Order or specified in guidance or protocols established by the County of Los Angeles Department of Public Health. As used herein, "Operator" means an owner or operator of a business or establishment.

SECTION 6. To protect against the coronavirus and COVID-19, peace officers may require lawfully detained individuals to put on a face covering. If an individual does not have a face covering, officers will provide one.

SECTION 7. As used in this Order, a "Face Covering" means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers only the nose and mouth and surrounding areas of the lower face. A covering that hides or obscures the wearer's eyes or forehead is not a Face Covering. Examples of Face Coverings include a scarf or bandana; a neck gaiter; a homemade covering made from a t-shirt, sweatshirt, or towel, held on with rubber bands or otherwise; or a mask, which need not be medical-grade. A Face Covering may be factory-made, or may be handmade and improvised from ordinary household materials. The Face Covering should be comfortable, so that the wearer can breathe through the nose and does not have to adjust it frequently, so as to avoid touching the face. For Face Coverings that are not disposed of after each use, people should clean them frequently and have extra ones available so that they have a clean one available for use. Information on cleaning a Face Covering is available from the CDC at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-gettingsick/how-to-wash-cloth-face-coverings.html>.

For as long as medical-grade masks such as N95 masks and surgical masks are in short supply, members of the public should not purchase those masks for use as Face Coverings under this Order; those medical-grade masks should be reserved for health care providers and first responders. Any mask that incorporates a one-way valve (typically a raised plastic cylinder about the size of a quarter on the front or side of the mask) that is designed to facilitate easy exhaling allows droplets to be released from the mask, putting others nearby at risk. As a result, these masks are not a Face Covering under this Order and must not be used to comply with this Order's requirements. A video showing how to make a face covering and additional information about how to wear and clean Face Coverings may be found at the CDC website, at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>.

SECTION 8. If any provision of this Public Order or its application is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, sections, or applications of the Orders or this Resolution which can be given effect without the invalid provision or application, and to this end each phrase, section, sentence, or word is declared to be severable.

SECTION 9. Any violation of the above Public Orders 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.

SECTION 10. This Resolution and the corresponding orders do not supersede any stricter limitation imposed by the County of Los Angeles or the State of California.

Adopted by the Council of the City of Glendale on this 29th day of September, 2020.

Mayor

ATTEST:

City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF GLENDALE)

I, Aram Adjemian, City Clerk of the City of Glendale, hereby certify that the foregoing Resolution No. _____ was adopted by the Council of the City of Glendale, California, at its regular meeting held on the _____ day of September, 2020, and that the same was adopted by the following vote:

Ayes:
Noes:
Absent:
Abstain:

City Clerk