

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENDALE,
CALIFORNIA, RATIFYING AN EMERGENCY ORDER UNDER THE CITY OF
GLENDALE EMERGENCY AUTHORITY REGARDING COVID-19 RELATING TO
GYMS 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 the Glendale City Council adopted Resolution No. 20-29 consistent with County's Safer at Home orders, which closed all dine-in services at restaurants, except for delivery and take-out; 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 adopted Resolution No. 20-29 consistent with County's Safer at Home order, which closed all dine-in services at restaurants;

Whereas, on May 15, 2020 Glendale's Resolution No. 20-29 - pertaining to restaurants, bars, nightclubs etc. - expired and said business and activities continued to be regulated under the County's Safer at Home orders.

Whereas, on or about May 26, 2020 revised its Safer at Home Orders to allow for partial re-opening of restaurants for dine-in services and retail stores for in-store shopping services if they meet 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 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 the Al Fresco dining for banquet halls;

Whereas, public health orders limiting public health orders has severely hampered certain economic activity including the operation of banquet halls in the City; and

Whereas, by virtue of the authority granted pursuant to Chapter 2.84 of the Glendale Municipal Code, the Director of Emergency Services issued an emergency public order to support local businesses;

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE that a public order is hereby issued as follows:

SECTION 1. This Emergency Public Order shall be effective immediately upon adoption and shall continue to be in effect until December 31, 2020, but only during those periods when the County Order prohibits indoor operation of those services.

A. For gyms and health clubs, as defined in the Glendale Municipal Code section 30.70.80G, which are Glendale based “brick and mortar” fitness facilities that have altered business operations in response to COVID-19 and intend to rent parks and recreation facility space to accomplish those changes in operation to operate as an outdoor gym as outlined by the County Order and Reopening Protocols and in accordance with Community Services and Parks Policy on Rental of Park Facilities for Fitness Classes or Activities (“Policy”):

- The parks facility rental fees and hourly staff costs set forth in the Policy are hereby waived;

SECTION 2. This Order does not and shall not be construed to allow any business or individual to operate his/her/its business regulated by this public order 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 including Resolution 20-123.

SECTION 3. 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 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.

SECTION 5. 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 ___ 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