

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE,
CALIFORNIA, EXTENDING EMERGENCY PUBLIC ORDERS RELATING TO
PERSONAL CARE ESTABLISHMENTS (OUTDOOR); OUTDOOR GYMS AND
DANCE ACADEMIES; AND OUTDOOR USE OF BANQUET HALLS**

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;

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 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;

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 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, in response to the COVID-19 surge, the County of Los Angeles issued revised Safer at Home orders commencing in November 2020 requiring the closure of additional businesses that had re-opened or partially re-opened under earlier Safer at Home Orders, such as renewed prohibitions on outdoor dining and reduced occupancy of retail establishments; and

Whereas, on December 3, 2020, the Governor issued Regional Stay at Home Orders requiring closure or reduction in many businesses, including prohibitions of outdoor seating for bars, restaurants, wineries and tap rooms, and closure of personal care establishments; and

Whereas, as a result of these renewed Stay at Home Orders from the State and County, many businesses are experiencing, and will continue to experience, substantial losses of income as a result of business closures or restrictions, the loss of hours or wages, or layoffs related to COVID-19; and

Whereas, on June 16, 2020, the Director of Emergency Services adopted Public Order No. 2020-10, requiring the waiver of fees for permits for outdoor dining and, such order was ratified by Resolution No. 20-95 ending on August 31, 2020, such public order was extended on August 27, 2020 by Public Order No. 2020-16, extending the time until December 31, 2020;

Whereas, on July 20, 2020, the Director of Emergency Services adopted Public Order No. 2020-11, waiving the permit application fees for Temporary Certificates of Occupancy to allow temporary conversion of banquet halls to restaurant use, subject to County of Los Angeles Public Health orders and, such order was ratified by Resolution No. 20-112 ending on December 31, 2020;

Whereas, on July 30, 2020, the Director of Emergency Services adopted Public Order No. 2020-13, requiring the waiver of permit application and allowing of Temporary Certificates of Occupancy for outdoor operations of retail establishments and, such order was ratified by Resolution No. 20-123 ending on December 31, 2020;

Whereas, on July 30, 2020, the Director of Emergency Services adopted Public Order No. 2020-14, requiring the waiver of permit application and allowing of Temporary Certificates of Occupancy for outdoor operations of personal care establishments and, such order was ratified by Resolution No. 20-123 ending on December 31, 2020;

Whereas, on July 31, 2020, the Director of Emergency Services adopted Public Order No. 2020-15, requiring the waiver of permit application and allowing of Temporary Certificates of Occupancy for outdoor operations of gyms and, such

order was ratified by Resolution No. 20-123, and expanded by Resolution No. 20-149, ending on December 31, 2020;

Whereas, on October 28, 2020, the Director of Emergency Services adopted Public Order No. 2020-17, requiring the waiver of permit application and allowing of Temporary Certificates of Occupancy for outdoor operation of gyms and dance academies and such order was ratified by Resolution No. 20-175 ending on December 31, 2020;

Whereas, on December 30, 2020, the Director of Emergency Services issued Emergency Public Orders 2020-20 (Al Fresco Dining), 2020-21 (Outdoor Retail Establishments), 2020-22 (Personal Care Establishments – Outdoor), 2020-23 (Outdoor Gyms and Dance Academies), and 2020-24 (Outdoor Use of Banquet Halls) extending previous public orders, which emergency public orders were subsequently ratified by the Council on January 19, 2021 and extended by the Council on March 23, 2021; and

Whereas, on June 15, 2021, in connection with the State of California terminating the Blueprint for a Safer Economy, Los Angeles County enacted a new public health order, entitled “A Safer Return Together at Work in the Community: Beyond the Blueprint for a Safer Economy,” which rescinded most of Los Angeles County’s sector-specific protocols and aligns with the State Beyond the Blueprint for Industry and Business Sectors;

Whereas, while the State and the County have lifted most business capacity and distancing limitations, the Council finds that continued authorizations and assistance for outdoor business activity while economy activity rebounds from the economic impacts of COVID-19 after the termination of the Blueprint is necessary for the public health, safety and welfare of the community;

Whereas, such conditions of peril to life, health and safety, continue to exist, and necessitate the extension of the public orders for the preservation of public health and safety.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE, CALIFORNIA THAT:

SECTION 1. The following Emergency Public Orders of the Director of Emergency Services are hereby ratified, subject to compliance with State and Los Angeles County public health orders, and shall remain in effect until _____, 2021 at 11:59 p.m.: A. Outdoor Use of Banquet Halls (EPO 2020-24); B. Personal Care Establishments (Outdoor) (EPO 2020-22); and C. Outdoor Gyms and Dance Academies (EPO 2020-23), all as follows:

A. Banquet Halls

For banquet halls, as defined in the Glendale Municipal Code section 30.70.30B, that alter business operations in response to COVID-19 and required a temporary certificate of occupancy permit to accomplish those changes in operations to operate as a restaurant, and the permit application fee was waived for temporary uses exercised pursuant to the temporary certificate of occupancy:

- Temporary Certificate of Occupancy Permit – Necessary for requests to temporarily change operations from banquet hall use to restaurant use: Fee is minimum of \$166 per hour. Typical hours charged are 3.5 hours. Fee is waived for banquet halls applying for a waiver as a result of impacts due to COVID-19 and to assist in the post-COVID economic recovery effort.

B. Personal Care Establishments

For personal care establishments, such as hair salons and barbershops, or as the term may be defined by the County Order and Reopening Protocol, that altered business operations in response to COVID-19 and require a temporary certificate of occupancy permit to accomplish those changes in operation to operate as an outdoor service:

- 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, personal care services, as defined by the County Order and Reopening Protocols, are permitted to occur outdoors. The outdoor space utilized for such purposes may only be on private property.

- Personal care establishment operators must maintain at minimum 50% of their required parking when moving their operations outdoors. 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.

C. Gyms and Dance Academies

For gyms and health clubs, as defined in the Glendale Municipal Code section 30.70.30G, and dance academies as defined in Glendale Municipal Code section 5.08.080, where instruction in dance is given, and that have altered business operations in response to COVID-19 and require a temporary certificate of occupancy permit to accomplish those changes in operation to operate as an outdoor gym or dance academies as outlined by the County Order and Reopening Protocols:

- The parks facility rental fee is waived for temporary uses exercised pursuant to the Rental of Park Facilities for Fitness Classes or Activities policy ("Policy");
- The hourly staff costs set forth in the Policy are hereby enforced;
- The Director of Community Services and Parks, may, at his discretion, identify City-owned parks, where facility permits may be issued, with certain necessary requirements, and showing proof of insurance, for their usage for outdoor gym and physical fitness activities.

Additionally, for gyms, health clubs, and dance academies defined herein that require a temporary certificate of occupancy permit to accomplish those changes in operation to operate as an outdoor business as outlined by the County Order and Reopening Protocols, 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, gym and physical fitness activities and dance academies are permitted to occur outdoors. The outdoor space utilized for such purposes may only be on private property;
- Gym and dance academy operators must maintain a minimum of 50% of their required parking when moving their operations outdoors. 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;
- The Director of Community Services and Parks may, at his discretion, identify City-owned parks, where facility permits may be issued, with certain necessary requirements, including payment of fees, and showing proof of insurance, for their usage for outdoor gym and physical fitness activities.

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, social distancing, dining and other business activity, and face coverings;

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 June ____, 2021.

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 June, 2021, and that the same was adopted by the following vote:

Ayes:
Noes:
Absent:
Abstain:

City Clerk