



## CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL

### AGENDA ITEM

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Report: Emergency Public Orders Providing for Penalties for Violations of County Health Orders and Authorizing Commercial Outdoor Business Activity

1. Resolution Providing that Violations of State and County Health Orders Related to COVID-19 Pandemic Constitute Violations of Glendale Municipal Code Subject to Enforcement and Penalties Including Administrative Citations
2. Resolution Ratifying Emergency Public Orders Authorizing Outdoor Commercial Activity in Accordance with State and County Health Orders (Forthcoming)

### COUNCIL ACTION

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**Item Type:** Consent Item

**Approved for** August 4, 2020 **calendar**

### ADMINISTRATIVE ACTION

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**Submitted by:**

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**Prepared by:**

Michael J. Garcia, City Attorney

**Reviewed by:**

Michele Flynn, Director of Finance  
Roubik R. Golanian, P.E., Assistant City Manager  
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**Approved by:**

Yasmin K. Beers, City Manager

## **RECOMMENDATION**

It is recommended that the Council adopt resolutions (i) making violations of Los Angeles County's Health Orders punishable as violations of the Glendale Municipal Code including by way of administrative citation, and (ii) ratifying an Emergency Public Order authorizing outdoor commercial activity, notwithstanding provisions of the Glendale Municipal Code, including but not limited to outdoor retail, gyms, and personal care businesses such as hair and nail salons.

## **BACKGROUND/ANALYSIS**

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At its regular meeting of July 21, 2020, the Council extended various public orders related to COVID-19, including the Order requiring most individuals to wear face coverings when leaving their residences or places of business. These Orders are enforceable as violations of the Glendale Municipal Code, either as misdemeanors or by way of administrative citation.

During that meeting there was a discussion of ensuring that aspects of the County's Safer at Work and in the Community for Control of COVID-19 Order ("County Health Order"), such as prohibitions on gatherings on non-household members, social (physical) distancing, and prohibitions on indoor dining. Currently, the County Health Order requests that all chiefs of police ensure compliance with and enforcement of the Order. Violation of the County Health Order is punishable as a violation of state law. In addition, as of the writing of this Report, the County announced a compliance and enforcement plan for businesses licensed by County Health.

Council requested consideration of an Emergency Public Order making violations of the County Health Order punishable as violations of the Glendale Municipal Code, including as misdemeanor violations or for enforcement by way of administrative citation. The Director of Emergency Services signed an Emergency Public Order consistent with the above on July 28, 2020. Staff requests Council ratification of said Order.

In addition, it is anticipated that during the week of July 27, 2020, the Director of Emergency Services will have approved Emergency Public Orders authorizing outdoor commercial activity including personal services such as hair salons, barbers, and nail salons, retail sales, and gyms and physical fitness studios in accordance with State and County Orders authorizing such activity. Said orders will also waive applicable permit fees for a specified period of time. Upon approval of said Emergency Public Orders, staff will include a resolution with this item ratifying the Emergency Public Orders.

## **FISCAL IMPACT**

There is no fiscal impact associated with the Order making violations of the County Health Order a violation of the City's Emergency Public Order. It is anticipated the Emergency Public Orders allowing outdoor commercial activity will have a fiscal impact, as fees for permits for outdoor activity will be waived. The permits to be issued would either be for an extended Sidewalk Permit for activity in the right of way or Temporary

Certificates of Occupancy for private property. Estimates of the fiscal impact are based on an estimated number of permits issued as follows:

- Retail Businesses using extended Sidewalk Permit  
\$233 permit fee plus \$2.23/sf  
Estimated 100 sq. ft. of outdoor retail space/business  
Approximately 50 businesses using extended permit  
Average fee per business: \$456  
Total Estimate for Waiving Fees for 50 Businesses Extending Sidewalk Dining:  
\$22,800
- Gyms, Personal Care, Salons and Retail Businesses using Temporary Certificate of Occupancy  
Temporary Certificate of Occupancy fee is \$166/hour  
Estimating 3.5 hours/permit  
About 25 businesses using permit  
Average fee per business: \$581  
Total Estimate for Waiving Fees for 25 Businesses Using Private Parking Lot:  
\$14,525

## **ALTERNATIVES**

1. The Council can adopt the Resolutions ratifying the Emergency Public Orders.
2. The Council can choose not to ratify the Emergency Public Orders.
3. The Council can choose an alternative not identified by staff.

## **CAMPAIGN DISCLOSURE**

Not applicable.

## **EXHIBITS**

None.