

RESOLUTION NO. 2020_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, CONFIRMING THE NOVEMBER 23, 2020 THIRTY-FIRST SUPPLEMENT TO PUBLIC ORDER (COUNTY SURGE RESPONSE LIMITATIONS) AND THE NOVEMBER 30, 2020 THIRTY-SECOND SUPPLEMENT TO PUBLIC ORDER (TEMPORARY TARGETED SAFER AT HOME SURGE RESPONSE) ISSUED BY THE CITY MANAGER, AS DIRECTOR OF EMERGENCY SERVICES, UNDER CITY OF CULVER CITY EMERGENCY AUTHORITY, DUE TO THE CORONAVIRUS RESPIRATORY DISEASE (COVID-19) PANDEMIC.

WHEREAS, pursuant to the authority granted by Culver City Municipal Code (CCMC) Section 3.09.020, on March 14, 2020, the City Manager, as the Director of Emergency Services, issued a Proclamation of Local Emergency due to the Coronavirus (COVID-19) pandemic, which was ratified by the City Council on March 18, 2020 by Resolution No. 2020-R015. Such action followed the Los Angeles County Department of Public Health's and the Chair of the Board of Supervisor's declarations of a local health emergency and the State of California's declaration of a State of Emergency on March 4, 2020, and the declaration of a National Emergency on March 13, 2020; and

WHEREAS, as of December 8, 2020 (9:27 a.m.), Johns Hopkins University reported 67,878,809 confirmed COVID-19 cases globally and 1,550,579 deaths; 14,986,923 cases nationally, with 284,440 deaths; and 1,396,219 cases in California, with 20,056 deaths. Further, as of December 7, 2020, the Los Angeles County Department of Public Health (LACDPH) reported 457,880 cases in Los Angeles County with 7,936 deaths, which includes 726 cases and 35 deaths in Culver City (LACDPH information includes data through 8 p.m. on 12/06/2020). As there is a rapid increase in cases and ongoing significant risk of infection throughout the United States and the State of California, the federal Centers for Disease Control and Prevention and the California Department of Public Health are recommending that

1 counties and cities throughout the U.S. continue to actively address the COVID-19 pandemic
2 and implement aggressive measures to prevent the spread of COVID-19; and

3 WHEREAS, on March 16, 2020, under the authority of CCMC Section 3.09.020,
4 the City Manager issued a Public Order enacting new City measures to protect members of the
5 public and City workers from undue risk of COVID-19 ("March 16 Order"). The March 16 Order
6 included, among other things, temporary restrictions on certain establishments throughout
7 Culver City, in which large numbers of people tend to gather and remain in close proximity; and

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9 WHEREAS, on March 20, 2020, the City Manager issued a First Supplement to
10 Public Order enacting further City measures to protect members of the public and City workers
11 from undue risk of COVID-19 ("March 20 Order"). The March 20 Order was enacted after the
12 City of Los Angeles and Los Angeles County Department of Public Health issued a similar
13 public order. The March 20 Order issued, and incorporated by reference, any and all orders set
14 forth in *Public Order Under City of Los Angeles Emergency Authority, Subject: SAFER AT*
15 *HOME*, issued by Los Angeles Mayor Eric Garcetti on March 19, 2020; and

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17 WHEREAS, since the March 19 *SAFER AT HOME* Order, Los Angeles Mayor
18 Garcetti issued revised *SAFER AT HOME* Orders on April 1, April 10, and April 27, 2020. In
19 step with the City of Los Angeles, on April 7, 2020, April 11, 2020, and May 1, 2020
20 respectively, the City Manager issued a Fourth Supplement to Public Order (incorporating the
21 April 1 *SAFER AT HOME* Order), a Seventh Supplement to Public Order (incorporating the
22 April 10 *SAFER AT HOME* Order), and a Ninth Supplement to Public Order (incorporating the
23 April 27 *SAFER AT HOME* Order); and

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25 WHEREAS, beginning in May 2020, the City Manager issued supplemental public
26 orders consistent with the Los Angeles County Roadmap to Recovery orders, including:
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- *Tenth Supplement to Public Order on May 7, 2020* (safe reopening of limited businesses with strict physical distancing and infection control protocols in place; additional curbside pick-up);
- *Eleventh Supplement to Public Order on May 14, 2020* (extension of previous orders; safe reopening of additional businesses with curbside pick-up; extension of relaxation of parking and signage restrictions; extension of outdoor dining and valet parking fee waivers);
- *Thirteenth Supplement to Public Order on May 20, 2020* (conditional reopening of pet grooming, pet training and car washes);
- *Fourteenth Supplement to Public Order on May 22, 2020* (additional curbside pick-up for lower risk retailers located in interior of indoor mall or shopping center; vehicle-based parades permitted);
- *Fifteenth Supplement to Public Order on May 27, 2020* (phased safe reopening of lower risk businesses at 50% capacity, non-essential office-based businesses, and faith based in-person services at the lower of 25% capacity or 100 persons; reopening of pools/hot tubs in multi-unit residence; further extension of outdoor dining and valet parking fee waivers);
- *Sixteenth Supplement to Public Order on June 1, 2020* (safe reopening of additional businesses, subject to restrictions, including hair salons and barber shops, and in-person dining at 60% capacity; allowing restaurants and retailers to temporarily expand into public right-of-way, subject to approval of the Public Works Director/City Engineer);
- *Seventeenth Supplement to Public Order on June 10, 2020* (suspend or modify certain provisions of the Zoning Code to provide relief from parking requirements for outdoor dining areas; provide reduced parking requirements for new restaurant uses; create an expedited process for establishing outdoor dining and retail areas in private parking lots; allow takeaway alcohol services; and temporarily suspend legal non-conforming use provisions);
- *Eighteenth Supplement to Public Order on June 12, 2020* (permitting reopening in compliance with all County protocols of music, television and film production; day camps, gyms and fitness establishments; museums, galleries, botanical gardens, zoos, and aquariums; professional sports leagues and facilities opening for training sessions and spectator-free events; campgrounds and RV parks; hotels, lodging, and short-term rentals; public swimming pools; visiting a physician or child's pediatrician for routine care and wellness visit; outdoor and indoor photography; and in-person behavioral health or substance use disorder support in therapeutic small groups meetings);
- *Nineteenth Supplement to Public Order on June 19, 2020* to allow for personal care establishments, bars, wineries and tasting rooms, to reopen, as well as clarify that there was no attendee limit on outdoor faith-based services and outdoor protests. The Order reiterated the higher risk businesses that were required to remain closed; and

WHEREAS, due to increases in the daily reported COVID-19 cases, hospitalizations, and the testing positivity rates, the Los Angeles County Public Health Officer

1 issued revised orders on June 28, 2020 and July 1, 2020, in alignment with the California
2 Governor's announcements requiring the closure of specific activities and business sectors,
3 including but not limited to bars, breweries, tasting rooms, distilleries that possess a low risk
4 public health restaurant permit, indoor restaurant dining, cardrooms, satellite wagering facilities,
5 and indoor portions of museums, zoos and aquariums, in effect superseding certain previous
6 orders, including those in Culver City that were more lenient than the new restrictions, to
7 address the serious regression of COVID-19 indicators within Los Angeles County; and
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9 WHEREAS, on July 7, 2020, to align with the County of Los Angeles, the City
10 Manager issued the Twentieth Supplement to Public Order, to reiterate which higher risk
11 businesses, recreational sites, and commercial properties must be closed under the County of
12 Los Angeles recent Public Health orders; additionally, to acknowledge the financial hardship
13 experienced by hotels and motels in the City, the July 7 Order waived penalties and interest
14 due to the City on any past due transit occupancy taxes ("TOT"), provided the payment of all
15 outstanding TOT is remitted to the City within 30 days, and further providing that for those
16 operators who have already paid their past due TOT, all outstanding penalties and interest
17 accrued between March 1, 2020 and July 7, 2020 were waived; and
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19 WHEREAS, beginning in late July 2020, to support the safe operations and
20 recovery of the City's business sectors and educational activities within the City during COVID-
21 19, and consistent with the State Orders and guidance as well as County Orders and protocols,
22 the City Manager issued the following supplemental public orders:
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- 24 • *Twenty-First Supplement to Public Order on July 21, 2020* (allowing the safe
25 outdoor operation of gyms, fitness centers and personal care services,
26 pursuant to a Temporary Use Permit, provided all operations were in
27 compliance with State, County, and local protocols);
- 28 • *Twenty-Third Supplement to Public Order on August 13, 2020* (allowing gyms
and fitness establishments to temporarily use Culver City parks facilities,
subject to obtaining a temporary park use permit);

- *Twenty-Fourth Supplement to Public Order on August 21, 2020* (allowing youth sports programs to resume, and to address the expanded use of outdoor park spaces for therapeutic small group meetings and in-person faith-based services, subject to a park permit and following the applicable County of Los Angeles protocols);
- *Twenty-Fifth Supplement to Public Order on September 3, 2020* (allowing the safe indoor operation of hair salons and barbershops, at 25% of maximum occupancy, in compliance with the applicable County protocols; and further allowing K-12 schools to offer in-school services as of September 14, 2020, for students with individualized Education Programs or English Learners needing assessments and/or specialized in-school services, with priority given to students with disabilities, limited to 10% or less of the total student body);
- *Twenty-Seventh Supplement to Public Order on October 2, 2020* (safe reopening of nail salons for limited indoor services at 25% capacity, cardrooms for outdoor operations only, indoor shopping malls at 25% capacity, and outdoor playgrounds; the requirement for businesses to post Community Workforce Resources poster; the continued waiver of outdoor dining and valet parking license fees through December 31, 2020; and permitting of outdoor operation of certain personal care establishments in the public right-of-way); and
- *Twenty-Eighth Supplement to Public Order on October 16, 2020* (private outdoor gatherings of persons from no more than three households, subject to public health protocols; provided further definition of “household” and “private gathering;” and established various requirements for such gatherings, including, but not limited to, requirements relating to attendance, location, duration, and physical distancing and hand hygiene).
- *Twenty-Ninth Supplement to Public Order on October 30, 2020* (modified indoor operation of personal care establishments; clarified the closure of food court dining areas in indoor malls and shopping centers; allowed the conditional outdoor operation of miniature golf, batting cages, and go cart racing; increased the percentage of students permitted on K-12 Campus with IEPs and EIs and to 25%; allowed the conditional opening of wineries and breweries for outdoor dining operations; and put a limit on the delivery fees, as well as other fees, commissions and costs that third party food delivery service providers may charge retail food establishments).

WHEREAS, the Public Orders listed hereinabove issued by the City Manager have been confirmed by the City Council; and

WHEREAS, due to the escalating number of COVID-19 cases in the State of California, on November 19, 2020, the State of California Public Health Officer issued a Limited Stay at Home Order for all counties under Tier One of California’s Blueprint for a Safer Economy, including Los Angeles County, requiring all gatherings with members of other

1 households and all activities conducted outside the residence with members of other
2 households to cease between the hours of 10:00 p.m. and 5:00 a.m., except for those activities
3 associated with the operation, maintenance, or usage of critical infrastructure or required by
4 law; and

5 WHEREAS, due to the alarming increase in the number of COVID-19 cases, the
6 County of Los Angeles issued a Tier 1 Surge Response Order on November 19, 2020, and on
7 November 22, 2020 announced further limitations on that order as to suspending outdoor dining
8 operations as of November 25, 2020; and

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10 WHEREAS, on November 23, 2020, the City Manager issued the Thirty-First
11 Supplement to Public Order, to align with the County of Los Angeles Surge Response Orders,
12 placing occupancy limitations on lower risk retail businesses (25%), essential office-based
13 businesses (25%), personal care establishments (25%), and the outdoor operations of
14 cardrooms, miniature golf, batting cages and go cart racing (50%), as well as the continued
15 waiver of City outdoor dining license fees and valet parking license fees through March 31,
16 2021; and

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18 WHEREAS, due to the continued dramatic escalation of new COVID-19 cases,
19 the increased positivity rate, and the increased hospitalizations and deaths, the County of Los
20 Angeles issued a Temporary Surge Response Order on November 28, 2020, which outlined a
21 number of safety measures that were to stay in place for three weeks, until December 20, 2020,
22 including that all public and private gatherings were prohibited with persons not in the same
23 household, except for church services and protests; occupancy capacity was further reduced
24 for lower risk retail businesses (20%) and personal care establishments (20%), and all activities
25 must cease during the State of California curfew hours of 10:00 p.m. to 5:00 a.m. except for
26 essential activities and those required by law; and
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1 WHEREAS, on November 30, 2020, the City Manager issued the Thirty-Second
2 Supplement to Public Order, effective until December 20, 2020, to mirror the November 28th
3 County Surge Response Order.

4 NOW, THEREFORE, the City Council of the City of Culver City, California, DOES
5 HEREBY RESOLVE as follows:

6 1. Pursuant to CCMC Section 3.09.020.B.1.h(2), the City Council hereby
7 confirms the Thirty-First Supplement to Public Order issued by the City Manager, in his
8 capacity as Director of Emergency Services, on November 23, 2020, attached hereto as
9 Exhibit A and incorporated herein as though fully set forth.
10

11 2. Pursuant to CCMC Section 3.09.020.B.1.h(2), the City Council hereby
12 confirms the Thirty-Second Supplement to Public Order issued by the City Manager, in
13 his capacity as Director of Emergency Services, on November 30, 2020, attached
14 hereto as Exhibit B and incorporated herein as though fully set forth.
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3. The City Council finds that this Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA guidelines, California Code of Regulations, Title 14, Chapter 3, §15060(c)(2) [the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment] and §15060(c)(3) [the activity is not a project as defined in §15378] because it has no potential for resulting in physical change to the environment, directly or indirectly.

4. This Resolution shall take effective immediately upon its adoption.

APPROVED and ADOPTED this _____ day of _____ 2020.

GÖRAN ERIKSSON, MAYOR
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:

JEREMY GREEN
City Clerk

CAROL A. SCHWAB
City Attorney



JOHN M. NACHBAR
CITY MANAGER

CITY MANAGER'S OFFICE
CITY OF CULVER CITY

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

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**Thirty-First Supplement to Public Order Under
City of Culver City Emergency Authority**

Issue Date: November 23, 2020

Subject: County Surge Response Limitations: (1) Private Outdoor Gatherings Limited to Maximum of 15 Persons from a Maximum of Three Different Households; (2) Temporary Suspension of Outdoor Dining at Restaurants, Breweries, Wineries and Bars Effective November 25, 2020 at 10:00 p.m.; (3) Limitations on Occupancy to 25% Capacity and Limited Hours of Operation for Low-Risk Retail; (4) Limitations on Indoor Occupancy to 25% Capacity for Certain Essential Office-Based Businesses; (5) Clarification That Essential Businesses Must Comply with the County Physical Distancing Protocol and All Other Applicable Protocols for its Sector; (6) Limitations on Occupancy to 25% Capacity for Personal Care Establishments; (7) Limitations on Outdoor Operation of Cardrooms, Miniature Golf, Batting Cages, and Go Cart Racing to 50% of Outdoor Capacity; and (8) Further Extension of Outdoor Dining License Fees and Valet Parking License Fees to March 31, 2021.

This Thirty-First Supplement to Public Order addresses the Los Angeles County Public Health Surge Response Orders and directives issued November 19, 2020 and November 22, 2020, placing limitations on various business sectors, as well as a continuance of the waiver of outdoor dining and valet parking license fees in the City of Culver City ("City").

On March 14, 2020, the City Manager, as Director of Emergency Services, issued a Proclamation of Local Emergency, due to the outbreak and spread of the Coronavirus Respiratory Disease (COVID-19), which was ratified by the City Council on March 18, 2020 by Resolution No. 2020-R015. Beginning on March 16, 2020, the City Manager issued a number of public orders, closing many businesses and significantly restricting the operations of others, consistent with various supplemental orders that were issued by the State of California and the Los Angeles County Department of Public Health, as well as a number of neighboring communities.

In the early part of May 2020, the County of Los Angeles announced its Roadmap to Recovery, A Phased Approach to Reopening Safely, which allowed certain businesses and activities to slowly reopen and resume, subject to strict public health protocols. Although this phased reopening allowed some businesses to open and some activities to resume, many other businesses remained closed and activities were not permitted.

In late June and early July, 2020, due to increases in the daily reported COVID-19 cases, hospitalizations, and the testing positivity rates, the Los Angeles County Public Health Officer issued revised orders, in alignment with the California Governor's announcements, requiring the closure of specific activities and business sectors, superseding previous orders (which had allowed many businesses to reopen), to address the serious regression of COVID-19 indicators within Los Angeles County. Such closures of certain higher risk businesses, recreational sites, commercial properties, and activities, where more frequent and prolonged person-to-person contacts are likely to occur, superseded any previous openings permitted in Culver City.

As of this date, new COVID-19 cases remain at alarming levels. The State of California issued a Limited Stay at Home Order ("Stay at Home Order") on November 19, 2020 for all counties under Tier One of California's Blueprint for a Safer Economy, including Los Angeles County. The Stay at Home Order requires that all gatherings with members of other households and all activities conducted outside the residence with members of other households cease between the hours of 10:00 p.m. and 5:00 a.m., except for those activities associated with the operation, maintenance, or usage of critical infrastructure or required by law. The County of Los Angeles issued a Tier 1 Surge Response Order on November 19, 2020, and on November 22, 2020 announced further limitations on that order as to outdoor dining operations.

To align with the County of Los Angeles Public Health Officer's Orders, and to support the safe reopening of businesses and safe participation in recreational activities within the City, by virtue of authority vested in me as the Director of Emergency Services, pursuant to the provisions of CCMC Section 3.09.020.B.1.h(2), to make and issue rules and regulations on matters reasonably related to the protection of persons, property and the environment as affected by such emergency, I hereby order:

1. *October 16, 2020 Order on Outdoor Gatherings Amended to Limit Number of Persons.* Effective immediately, all outdoor private gatherings are limited to a maximum of 15 persons, from no more than three different "households" as previously defined in the October 16, 2020 Twenty-Eighth Supplement to Public Order. All private gatherings must continue to be held outdoors. All other provisions of the October 16th Order on gatherings remain in effect unless superseded by a State, County, or City Public Health Order.

2. *Temporary Suspension of Outdoor Dining at Restaurants, Breweries, Wineries and Bars.* Effective Wednesday, November 25, 2020 at 10:00 p.m., restaurants, breweries, wineries, and bars will only be permitted to offer take-out, drive through and delivery services. No in-person dining shall be permitted for at least three weeks from the effective date of this Order, or as specified by the County of Los Angeles, whichever is later. Wineries and breweries may continue retail operations in adherence with current protocols. Any Temporary Use Permits (TUP) issued by the City for outdoor dining on private property or in

the Public Right of Way are temporarily suspended until such time the County of Los Angeles allows outdoor dining operations to resume.

3. *Limit on the Number of Persons at Indoor Operations for Lower Risk Retail to 25% Capacity.* Lower risk retail businesses including those in indoor malls and shopping centers that are open for indoor operations, must limit indoor capacity to 25% of maximum occupancy. Lower risk retail businesses must close for indoor retail operations between the hours of 10:00 p.m. and 6:00 a.m., but may remain open for delivery and curbside pick-up. All other provisions of the most recent required Los Angeles County Department of Public Health Reopening Protocol for Retail Establishments (Appendix B) posted at <http://publichealth.lacounty.gov/media/Coronavirus/>, remain in effect unless superseded by the County of Los Angeles.

4. *Limit on the Number of Persons at Essential Office-Based Businesses to 25% Capacity.* Essential office-based businesses that are open for indoor operations must limit indoor capacity to 25% of maximum occupancy. This restriction does not apply to Healthcare Operations, Essential Infrastructure, and Essential Government Functions. All other provisions of the most recent required Los Angeles County Department of Public Health Social (physical) Distancing Protocol (Appendix A) and the Reopening Protocol for Office based Worksites (Appendix D) posted at <http://publichealth.lacounty.gov/media/Coronavirus/>, shall remain in effect unless superseded by the County of Los Angeles. Non-essential office-based businesses must remain closed for in-person operations.

5. *Essential Businesses Must Comply with All Applicable Protocols.* All essential businesses shall comply with the provisions of the most recent required Los Angeles County Department of Public Health Social (physical) Distancing Protocol (Appendix A) as well as comply with the applicable Los Angeles County Department of Public Health protocol for its business sector posted at <http://publichealth.lacounty.gov/media/Coronavirus/>.

6. *Limit on the Number of Persons at Personal Care Establishments to 25% Capacity.* Personal Care Establishments that are open for indoor operations (hair salons, nail salons, barbershops, esthetic, skin care, electrology, body art professionals, tattoo parlors and piercing shops, tanning salons, and massage therapy in non-healthcare settings) shall limit indoor capacity to 25% of maximum occupancy at all times. Services may only be provided by appointment. Customers and staff shall keep their face coverings on, over both their nose and mouth, at all times. Services that require a customer/client or a personal care attendant to remove their face coverings, including but not limit to facials and shaves, are prohibited. All other provisions of the most recent required Los Angeles County Department of Public Health Reopening Protocol for Personal Care Establishments (Appendix R) posted at

<http://publichealth.lacounty.gov/media/Coronavirus/>, shall remain in effect unless superseded by the County of Los Angeles.

7. *Limit on Outdoor Operation of Cardrooms, Miniature Golf, Batting Cages, and Go Cart Racing.* Cardrooms, miniature golf, batting cages, and go cart racing that have reopened for outdoor operations only shall limit the capacity of their outdoor operations to 50% maximum occupancy of the outdoor operations area. The indoor portions of these businesses must remain closed to the public. All other provisions of the most recent required Los Angeles County Department of Public Health Reopening Protocols for Cardrooms (Appendix Q) and Miniature Golf, Batting Cages, and Go Cart Racing (Appendix V), posted at <http://publichealth.lacounty.gov/media/Coronavirus/>, shall remain in effect unless superseded by the County of Los Angeles.

8. *Continued Waiver of Outdoor Dining and Valet Parking License Fees.* As set forth in the March 20, April 11, May 14, May 27, August 21, 2020, and October 2, 2020 Supplements to Public Orders, outdoor dining license fees and valet parking license fees will continue to be waived through March 31, 2021.

9. This Thirty-First Supplement to Public Order supersedes any provision in a previous Order where there is a conflict between the Orders; otherwise all Stay at Home orders remain in place. Except as specifically provided in this Public Order, or existing County reopening protocols, all other public and private gatherings continue to be prohibited.

10. Additional social distancing, infection control, and health and safety measures and guidelines may be imposed at any time, in my sole discretion, in order to ensure the protection of the public's health and safety, and the intent of each and every Public Order is carried out.

Any violation of this Thirty-First Supplement to Public Order may be enforced under the Culver City Municipal Code, which provides for fines not to exceed \$1,000 or imprisonment not to exceed six months. Each individual officer and City official should use their discretion in enforcing this order and always keep the intent of the order in mind.

Except as otherwise expressly provided herein, this Thirty-First Supplement to Public Order shall be effective immediately and shall remain in effect until superseded, amended, modified, or rescinded.

Date: 11/23/2020

A handwritten signature in blue ink, appearing to read "John", is written over a horizontal line.

John M. Nachbar, City Manager
Director of Emergency Services
City of Culver City



JOHN M. NACHBAR
CITY MANAGER

CITY MANAGER'S OFFICE
CITY OF CULVER CITY

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**Thirty-Second Supplement to Public Order Under
City of Culver City Emergency Authority**

Issue Date: November 30, 2020

**Subject: TEMPORARY TARGETED SAFER AT HOME SURGE RESPONSE
ORDER EFFECTIVE NOVEMBER 30, 2020 THROUGH DECEMBER 20,
2020.**

This Thirty-Second Supplement to Public Order addresses the Los Angeles County Public Health Officer's Temporary Targeted Safer at Home: Tier 1 Substantial Surge Response Order ("Temporary Surge Response Order") issued November 28, 2020 and effective November 30, 2020 through December 20, 2020. The Temporary Surge Response Order was issued as a response to the recent substantial rise in COVID-19 cases, hospitalizations, and deaths. The Temporary Surge Response Order was issued to ensure that County residents remain in their residences as much as practicable, and to limit close contact with others outside of their household in both indoor and outdoor spaces, to further reduce the risk of community transmission of COVID-19.

Background

On March 14, 2020, the City Manager, as Director of Emergency Services, issued a Proclamation of Local Emergency, due to the outbreak and spread of the Coronavirus Respiratory Disease (COVID-19), which was ratified by the City Council on March 18, 2020 by Resolution No. 2020-R015. Beginning on March 16, 2020, the City Manager issued a number of public orders, closing many businesses and significantly restricting the operations of others, consistent with various supplemental orders that were issued by the State of California and the Los Angeles County Department of Public Health, as well as a number of neighboring communities.

In the early part of May 2020, the County of Los Angeles announced its Roadmap to Recovery, A Phased Approach to Reopening Safely, which allowed certain businesses and activities to slowly reopen and resume, subject to strict public health protocols. Although this phased reopening allowed some businesses to open and some activities to resume, many other businesses remained closed and activities were not permitted.

In late June and early July, 2020, due to increases in the daily reported COVID-19 cases, hospitalizations, and the testing positivity rates, the Los Angeles County Public Health Officer issued revised orders, in alignment with the California Governor's announcements, requiring the closure of specific activities and business sectors, superseding previous orders (which had allowed many businesses to reopen), to address the serious regression of COVID-19 indicators within Los Angeles County. Such closures of certain higher risk businesses, recreational sites, commercial properties, and activities,

where more frequent and prolonged person-to-person contacts are likely to occur, superseded any previous openings permitted in Culver City.

As of this date, new COVID-19 cases remain at alarming levels. The State of California issued a Limited Stay at Home Order ("Stay at Home Order") on November 19, 2020 for all counties under Tier One of California's Blueprint for a Safer Economy, including Los Angeles County. The Stay at Home Order requires that all gatherings with members of other households and all activities conducted outside the residence with members of other households cease between the hours of 10:00 p.m. and 5:00 a.m., except for those activities associated with the operation, maintenance, or usage of critical infrastructure or required by law. Further, the County of Los Angeles issued a Tier 1 Surge Response Order on November 19, 2020 and November 25, 2020, and on November 28, 2020 issued the Temporary Surge Response Order.

Temporary Surge Response Order

To align with the County of Los Angeles Public Health Officer's Temporary Surge Response Order, and to support the safe reopening of businesses and safe participation in recreational activities within the City, by virtue of authority vested in me as the Director of Emergency Services, pursuant to the provisions of CCMC Section 3.09.020.B.1.h(2), to make and issue rules and regulations on matters reasonably related to the protection of persons, property and the environment as affected by such emergency, I hereby order:

1. All previous Culver City Orders in conflict with the Temporary Surge Response Order are suspended until the expiration of the Temporary Surge Response Order at 11:59 p.m. on December 20, 2020.

Orders specific to Culver City, including all unexpired Orders pertaining to the City's eviction moratoria, the temporary waiver of outdoor dining and valet parking fees, the temporary limitations on third-party food delivery services fees, the temporary relaxation of parking restrictions and parking enforcement, signage and sandwich board provisions, and temporary use permits for outdoor operations of businesses and outdoor recreational activities, shall remain in effect, subject to the restrictions in the Temporary Surge Response Order, which is attached hereto and incorporated by reference as though fully set forth herein.

2. Summary of the Safety Measures in the Temporary Surge Response Order:

A. Leaving Home: Individuals must stay home, except to travel to and from essential businesses, to work at or provide services to a healthcare operation or essential business/infrastructure, to engage in Essential Activities, or to participate in permitted individual or household outdoor and indoor activity while practicing required social distancing, infection control and masking. Sector protocols detail specific operating directives.

- Exemption for essential businesses: Essential businesses/activities include health care, government, courts, infrastructure (energy, transportation, IT, chemical materials), defense, financial services, food & agriculture (production, manufacturing, preparation, retail), manufacturing and sale of essential goods, emergency services, communications (including film/tv/music production), and services for vulnerable populations.

- Gatherings: All public and private gatherings and events with individuals not in your household are prohibited except for church services and protests.

- Occupancy limits for permitted activities:

- Permitted activities at facilities that operate outdoors where everyone is masked are at 50% maximum occupancy;
- Essential Retail that operates indoors where everyone is masked is at 35% maximum occupancy;
- Non-essential retail that operates indoors where everyone is masked is at 20% maximum occupancy.

B. Permitted Outdoor Recreation for Individuals:

- Beaches, trails, and parks remain open for active recreation; running, biking, walking, swimming, playing outdoors are permitted with distancing, infection control and masking (except while swimming). Gatherings are prohibited with members outside of your household.

- Shared outdoor facilities for recreational activities already operating remain open for individuals or members of a single household with required distancing, infection control and masking; this is limited to golf courses, tennis courts, pickleball, archery ranges, skate parks, bike parks, community gardens. Outdoor and indoor pools that serve members from more than one household are closed except for regulated lap swimming (one swimmer per lane).

C. Permitted Retail and Businesses -- Individuals are also permitted to work at or procure the following:

- Indoor facilities (masking, distancing, infection control required);

- Essential retail businesses at 35% maximum occupancy;
- Non-essential retail businesses at 20% maximum occupancy (includes indoor malls); distancing, infection control and masking are required;
- Personal Care services at 20% maximum occupancy; distancing, infection control and masking are required;

- Restaurants, bars, breweries, and wineries are closed for in-person dining/drinking as customers are unmasked most of their visit; these sites are open for pick-up and delivery; Breweries and wineries are open for retail at 20% maximum occupancy.

- Outdoor facilities/activities (masking, distancing, infection control required);

- Fitness centers outdoors at 50% maximum occupancy;
- Museums, galleries, zoos, aquariums, botanical gardens outdoors at 50% maximum occupancy;
- Miniature golf, batting cages, go-cart racing outdoors at 50% maximum occupancy;
- Drive-in movies/events/car parades permitted provided occupants of each car are members of one household.

D. Closed non-essential businesses/activities:

- Non-essential office-based businesses (minimum basic operations permitted);
- Playgrounds (exception for playgrounds at childcare and schools);
- Cardrooms;
- Bars, clubs, lounges;
- Theatres, spectator performances/sporting events/events, bowling alleys, arcades.

E. Permitted activities that continue under current re-opening protocols:

- Childcare/day care;
- K-12 Schools and Day Camps with new requirement for 14-day closure with any outbreak (3 cases or more over 14 days);
- Institutes for Higher Education;
- Libraries (20% maximum occupancy);
- Youth Sports (conditioning and skill building only);
- Pro-Sports (spectator free).

F. Curfew: Curfew requirements mirror the State Order requiring that all gatherings with members of other households and all activities conducted outside the residence with members of other households cease between 10:00 p.m. – 5:00 a.m., except for essential activities and those activities required by law. People experiencing homelessness are not subject to this curfew. Any number of persons from the same household may leave their residence if they do not engage in any interaction with individuals from other households.

3. This Thirty-Second Supplement to Public Order temporarily supersedes any provision in a previous Order where there is a conflict between the Orders; otherwise all Stay at Home orders remain in place. Except as specifically provided in this Public Order, or existing County reopening protocols, all other public and private gatherings continue to be prohibited.

4. Additional social distancing, infection control, and health and safety measures and guidelines may be imposed at any time, in my sole discretion, in order to ensure the protection of the public's health and safety, and the intent of each and every Public Order is carried out.

Any violation of this Thirty-Second Supplement to Public Order may be enforced under the Culver City Municipal Code, which provides for fines not to exceed \$1,000 or imprisonment not to exceed six months. Each individual officer and City official should use their discretion in enforcing this order and always keep the intent of the order in mind.

Except as otherwise expressly provided herein, this Thirty-Second Supplement to Public Order shall be effective immediately and shall remain in effect until superseded, amended, modified, rescinded, or expired by its terms.

Date: 11/30/2020

A handwritten signature in blue ink, appearing to read 'John Nachbar', is written over a horizontal line.

John M. Nachbar, City Manager
Director of Emergency Services
City of Culver City

TEMPORARY TARGETED SAFER AT HOME HEALTH OFFICER ORDER FOR CONTROL OF COVID-19: *TIER 1 SUBSTANTIAL SURGE RESPONSE*

Revised Order Issued: **November 28, 2020**

Effective 12:01AM (PST) on November 30, 2020 to 11:59PM (PST) on December 20, 2020

Please read this Order carefully. Violation of or failure to comply with this Order is a crime punishable by fine, imprisonment, or both. (California Health and Safety Code §120295; Los Angeles County Code § 11.02.080.)

SUMMARY OF THE TEMPORARY ORDER:

This Temporary Targeted Safer At Home Order for Control of COVID-19: Tier 1 Substantial Surge Response (Temporary Order) is issued to temporarily replace the most recently issued Reopening Safer At Work And In The Community For Control of COVID-19 Order (Order) issued by the County of Los Angeles Health Officer (Health Officer). This Temporary Order will be effective from 12:01am ((Pacific Standard Time (PST)) on November 30, 2020 to 11:59pm (PST) on December 20, 2020.

This Temporary Order is issued as a response to the recent substantial rise in COVID-19 cases, hospitalizations and deaths. Over the last five (5) calendar days, the County of Los Angeles is averaging over 4,500 newly diagnosed COVID-19 cases per day. Between November 13-27, 2020, hospitalizations of confirmed COVID-19 patients have increased by 101% to 1,893. The Health Officer expects both the number of new cases and hospitalizations to continue to rapidly increase over the next 21 days. Without rapid public health interventions, continued and substantial increases in both cases and hospitalizations will stress the health care system. This stress will limit the availability of Intensive Care Unit beds for non-COVID-19 hospitalizations.

This Temporary Order is issued to ensure that County of Los Angeles (County) residents remain in their residences as much as practicable, to limit close contact with others outside their household in both indoor and outdoor spaces and to further reduce the risk of community transmission of COVID-19 resulting from the unprecedented surge of new daily cases. This Temporary Order is issued to reduce capacity at sites where non-household members interact. Limiting interactions among non-household members, especially in places where persons are in close proximity without a face covering or mask, is essential to slowing the spread of COVID-19. It is imperative that all persons and businesses within in the County take personal responsibility and follow all restrictions and infection control precautions required by this Temporary Order.

TEMPORARY TARGETED SAFER AT HOME HEALTH OFFICER ORDER FOR CONTROL OF COVID-19: TIER 1 SUBSTANTIAL SURGE RESPONSE

This Temporary Order is effective within the County of Los Angeles Public Health Jurisdiction, defined as all cities and unincorporated areas within the County of Los Angeles, with the exception of the cities of Long Beach and Pasadena that must follow their respective City Health Officer orders and guidance. This Order is effective November 30, 2020 and will continue for 21 days.

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE COUNTY OF LOS ANGELES HEALTH OFFICER ORDERS:

1. This Temporary Order replaces the most recently issued Reopening Safer At Work And In The Community For Control of COVID-19 Order (Order) issued by the County of Los Angeles Health Officer (Health Officer). That Order is suspended until the expiration of this Temporary Order. This Temporary Order is issued to slow the current high rates of COVID-19 community transmission within the County. The Health Officer will continue to assess COVID-19 indicators within the County and the effectiveness of this Temporary Order on an ongoing basis and determine, after consultation with the Board of Supervisors, whether this Temporary Order needs to be modified or extended if the public health risk associated with COVID-19 increases in the future.
2. This Temporary Order's intent is to continue to ensure that County residents remain in their residences as much as practicable, to limit close contact with others outside their household in both indoor and outdoor spaces and to further reduce the increased risk of community transmission of COVID-19 resulting from the unprecedented surge of new daily cases. All persons who can telework or work from home should continue to do so as much as possible during this pandemic. The public's adherence to sustained Social (Physical) Distancing and infection control measures will slow the spread of COVID-19 and diminish its impact on the delivery of critical healthcare services. Failure to comply with any of the Temporary Order's provisions constitutes an imminent threat and menace to public health, and a public nuisance, and is punishable by fine, imprisonment or both.
3. All persons within the County Public Health Jurisdiction must stay home, except to travel to and from Essential Businesses, to work at or provide service to a Healthcare Operation or Essential Infrastructure, to work at, perform or obtain services from an Essential Governmental Function, to engage in Essential Activities, or to participate in permitted individual or household activities while practicing social distancing.
 - a) Nothing in this Temporary Order prohibits persons living together as a single household in a household or living unit ("household") from engaging in permitted activities together. For purposes of this Temporary Order, a "household" shall not



TEMPORARY TARGETED SAFER AT HOME HEALTH OFFICER ORDER FOR CONTROL OF COVID-19: TIER 1 SUBSTANTIAL SURGE RESPONSE

- include institutional group living situations such as dormitories, fraternities, sororities, monasteries, convents, or residential care facilities, nor does it include such commercial group living arrangements as boarding houses, hotels, or motels.¹
- b) All public and private gatherings and events with people from more than one household are not permitted except for outdoor faith-based services and outdoor protests, and as provided in Paragraph 9 of this Temporary Order.
 - c) People leaving their residences must strictly comply with the Social (Physical) Distancing, as specified in guidance or protocols established by the County Department of Public Health. This Temporary Order requires all persons wear a face covering or mask over both the nose and mouth whenever they leave their place of residence and are or can be in contact with or walking near or past others who are non-household members in both public and private places, whether indoors or outdoors. This includes wearing a face covering or mask when patronizing a business. Wearing a face covering or mask reduces the risk of transmission to others from people who do not have symptoms and do not know they are infected. The use of face coverings is commonly referred to as “source control.”
 - d) Persons and businesses within the County of Los Angeles Public Health Jurisdiction are required to follow the local COVID-19 infection control protocols and guidance provided by the County Department of Public Health. In instances where the County has not provided a specific guidance or protocol, specific guidance or protocols established by the State Public Health Officer shall control. All businesses must comply with the County Public Health Protocol applicable to that business sector.
 - i. In the event that an owner, manager, or operator of any business knows of three (3) or more cases of COVID-19 among their employees within a span of 14 days, the employer must report this outbreak to the Department of Public Health at (888) 397-3993 or (213) 240-7821.
 - ii. In the event that an owner, manager, or operator of any business is informed that one or more employees of the business has tested positive for, or has symptoms consistent with COVID-19 (case), the employer must have a

¹ Los Angeles County Code, Title 22. §22.14.060 - F. Family definition. (Ord. 2019-0004 § 1, 2019.)

https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances?nodeId=TIT22PLZO_DIV2DE_CH22.14DE_22.14.060F



TEMPORARY TARGETED SAFER AT HOME HEALTH OFFICER ORDER FOR CONTROL OF COVID-19: TIER 1 SUBSTANTIAL SURGE RESPONSE

protocol to require the case(s) to isolate themselves at home and require the immediate self-quarantine of all employees that had a workplace exposure to the case(s).

- e) All permitted activities with individuals of other households and all activities conducted outside the residence, lodging, or temporary accommodation with members of other households must cease between 10PM and 5AM (PST) except for those activities associated with the operation, maintenance, or usage of an Essential Business, Healthcare Operation, Essential Infrastructure, Essential Government Function or required by law. This Temporary Order does not apply to persons experiencing homelessness. Nothing in this Temporary Order prevents any number of person from the same household from leaving their residence, lodging or temporary accommodation, as long as they do not engage in any interaction with (or otherwise gather with) any number of persons from any other household, except as specifically permitted herein.
4. This Temporary Order incorporates by reference the following provisions of the recently issued Reopening Safer At Work And In The Community For Control of COVID-19 Order issued by the County Health Officer on November 25, 2020: Paragraphs 4, 5, 6, 10, 11, 12 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, and Appendices A, B, B-1, C, D, E, F, G, I, J, K, L, M, N, O, P, Q, R, S, T1, T2, U, and V. To the extent that this Temporary Order conflicts with any incorporated paragraphs or appendices, this Temporary Order controls.
5. The Health Officer orders the closure of the following types of Higher-Risk businesses, recreational sites, commercial properties, and activities, where more frequent and prolonged person-to-person contacts are likely to occur:
- a) Lounges and nightclubs;
 - b) Bars and craft distilleries that possess a valid low risk restaurant public health permit issued by the County of Los Angeles.
 - c) Public entertainment venues: movie theaters, live performance theaters, concert venues, theme parks, and festivals;
 - d) Family entertainment centers for indoor operations only and other prohibited activities under **Appendix V**;
 - e) All restaurants, but only for indoor and outdoor in-person onsite dining until further notice;



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- f) Cardrooms, satellite wagering facilities, and racetrack onsite wagering facilities until further notice;
- g) Playgrounds, except for playgrounds located within childcare centers or schools.
- h) Indoor portions and exhibits of museums, zoos and aquariums are closed to the public until further notice;
- i) Hot tubs, steam rooms and saunas not located on a residential property;
- j) Small water vessel charters and outdoor equipment rental;
- k) All public and private events and gatherings, unless specifically allowed by this Order.

6. All Essential Businesses, as defined in Paragraph 18 of the November 25, 2020 Reopening Safer at Work Order, unless specific modifications are required by this Temporary Order, may remain open to the public and conduct normal business operations, provided that they implement and maintain the Social (Physical) Distancing Protocol. All Essential Businesses must comply with the applicable County Public Health Protocol(s) for its business sector. An Essential Business' owner, manager, or operator must prepare and post a Social (Physical) Distancing Protocol and any other applicable County Public Health Protocol for each facility or office located within the County of Los Angeles Public Health Jurisdiction and must ensure that the Essential Business meets all other requirements of all applicable protocols and the Social (Physical) Distancing Protocol.

7. Lower-Risk Businesses are businesses that are not specified in Paragraph 6 of this Temporary Order, and not defined as an Essential Business in Paragraph 18 of the most recent Order. There are four categories of Lower-Risk Businesses: (1) retailers ("Lower-Risk Retail Businesses"), (2) manufacturing and logistics sector businesses that supply Lower-Risk Retail Businesses, (3) Non-Essential office-based businesses (although telework is strongly encouraged), and (4) Indoor Malls and Shopping Centers. These four categories of Lower-Risk Businesses may be open subject to the following conditions:

- a) **Lower-Risk Retail Businesses** that are open for indoor operations must limit indoor capacity to 20% of maximum occupancy. Lower-Risk Retail Businesses must close for indoor retail operations between the hours of 10:00 PM – 5:00 AM (PST) but may remain open for delivery and curbside pick-up. Lower-Risk Retail Businesses must post and follow County Public Health Protocol, incorporated by reference as **Appendix B**.



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- b) For any **non-retail Lower-Risk Business**, that is a manufacturing and logistics sector business that supplies Lower-Risk Retail Businesses, the owner, manager, or operator must implement and post the required County Public Health Protocol, applicable to the business type or location, incorporated by reference as **Appendix C**.
- c) For any **Non-Essential office-based business**, all indoor portions and operations must cease in-person operations until further notice. Non-essential office-based businesses may operate via telework and for Minimum Basic Operations only. Essential Businesses, Healthcare Operations, or Essential Infrastructure whose operations require that employees operate from an office worksite must require employees to telework to the extent feasible and any in-person operations must be in accordance with the County Public Health Reopening Protocol Office-Based Worksites, incorporated by reference as **Appendix D**.
- d) **Essential office-based businesses** that are open for indoor operations must limit indoor capacity to 25% of maximum occupancy. This restriction does not apply to Healthcare Operations, Essential Infrastructure, and Essential Government Functions.
- e) **Indoor Malls and Shopping Centers**, defined as: A building with (7) or more sales or retail establishments with adjoining indoor space, (including indoor swap meets) may be open at up to 20% of overall mall or shopping center capacity. Higher-risk businesses located within an Indoor Mall or Shopping Center as listed in Paragraph 6 of this Temporary Order must remain closed. Food court dining areas and specified common areas located within an Indoor Mall or Shopping Center must remain closed to the public until further notice. Members of the public may not consume food or beverages inside the Indoor Mall or Shopping Center. Indoor Malls and Shopping Centers must close for indoor retail operations between the hours of 10:00 PM–5:00 AM (PST), but retailers may remain open for delivery and curbside pick-up. The owner or operator of the Indoor Mall or Shopping Center must prepare, implement and post the required County Public Health Protocols for Shopping Center Operators, incorporated by reference as **Appendix E**.



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8. The following sectors, business, and activities may remain open while adhering to the required workplace and operational modifications, and subject to the following conditions:
- a) **Music, Film and Television Production.** Operations for music, film and television production must prepare, implement and post the required County Public Health Protocol for Music, Film and Television Production, incorporated by reference as **Appendix J**, as well as abide by applicable industry-generated protocols.
 - b) **Day camps.** Day camp owners and operators must implement and post the required County Public Health Protocol for Day Camps, incorporated by reference as **Appendix K**. Day camps must close in-person operations between the hours of 10:00 PM – 5:00 AM (PST). Day Camps with a COVID-19 outbreak (3 or more cases within a 14-day period) must close for 14 days.
 - c) **Fitness facilities.** Fitness facilities, including private gymnasiums, may be open for outdoor operations only at 50% maximum outdoor capacity. The indoor portions of Fitness facilities are closed to the public until further notice. The owner, manager, or operator of fitness facilities must prepare, implement and post the required County Public Health Protocol for Gyms and Fitness Establishments, incorporated by reference as **Appendix L**. Fitness facilities must close in-person operations between the hours of 10:00 PM – 5:00 AM (PST).
 - d) Outdoor portions of museums, galleries, botanical gardens, and outdoor facilities at zoos, aquariums, and other similar exhibition spaces (collectively, "**Museums**") may remain open to the public at 50% maximum outdoor capacity. The indoor portions of Museums are closed to the public until further notice. Museum and exhibition spaces must prepare, implement and post the required County Public Health Reopening Protocol for Museums, Galleries, Zoos, and Aquariums, incorporated by reference as **Appendix M**. Museums must close in-person operations between the hours of 10:00 PM – 5:00 AM (PST). Food facilities located within Museums must follow the requirements of **Appendix I**, which is incorporated herein by reference.
 - e) **Professional sports without audiences.** Professional sports teams and franchises may continue operations and competitions without audiences. The owner, manager, or operator of professional sports teams and franchises must prepare, implement and post the required County Public Health Protocol for Professional Sports Leagues and Facilities Opening for Training Sessions and Spectator-Free Events, incorporated by reference as **Appendix N**, as well as abide by applicable



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- industry-generated protocols. Professional sports teams and franchises must conclude competitions and other in-person operations by 10:00 PM and cease operations between the hours of 10:00 PM – 5:00 AM (PST).
- f) **Campgrounds, RV Parks and associated outdoor activities.** Campgrounds and recreational vehicle parks may remain open and the owner, manager, or operator of campgrounds and RV Parks must prepare, implement and post the required County Public Health Reopening Protocol for Campgrounds, RV parks and Cabin Rental Units, incorporated by reference as **Appendix O**.
- g) **Schools (K-12) and School Districts.** The County Public Health Officer requires all public and private schools (K-12) and school districts within the County of Los Angeles to conduct distance learning. Since September 14, 2020, K-12 schools may offer in-school services for a small, stable cohort of students with Individualized Education Programs (IEPs) or English Learners (ELs) needing assessments and/or specialized in-school services, with priority given to students with disabilities. Other prioritized groups for in person support and services include students not participating in distance learning, students at risk of abuse or neglect, foster youth, and students experiencing homelessness. Permissible in-person specialized services that require cohorting of students, must limit the maximum stable cohort size to twelve (12) students and two (2) staff (not including aides assigned to children with special needs), and adhere to all provisions for safe opening of schools, as outlined in **Appendix T1: Reopening Protocols for K-12 Schools**. Schools must limit the number of students with IEPs and ELs, and other prioritized students allowed at any one time on campus for essential assessments and/or specialized in-school services to 25% or less of the total student body. In addition, Schools may reopen TK-2nd Grades for classroom instruction with a waiver application approved by the County Department of Public Health. Schools and School Districts that are permitted to reopen for prioritized individual and cohorted students (K-12) or upon an approved waiver application (TK-12) must follow the Reopening Protocols for K-12 Schools and the Protocol for COVID-19 Exposure Management Plan in K-12 Schools, incorporated by reference as **Appendices T1 & T2**. K-12 Schools with a COVID-19 outbreak (3 or more cases within a 14-day period) must close for 14 days.
- h) **Personal Care Establishments.** Personal Care Establishments may remain open for indoor operations with required modifications. Personal Care Establishments also include hair salons, nail salons, barbershops, esthetic, skin care, electrology, body art professionals, tattoo parlors, and piercing shops, tanning salons and massage therapy (in non-healthcare settings). Indoor occupancy at Personal Care



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Establishments is limited to 20% of maximum capacity. Services at Personal Care Establishments may only be provided by appointment. Customers and staff must keep their face coverings on, over both their nose and mouth, at all times; services that require a customer/client or a personal care attendant to remove their face covering, e.g., facials and shaves, are prohibited. The owner, manager or operator of a personal care establishment must prepare, implement and post the required County Public Health Protocol for Personal Care Establishments, incorporate by reference as **Appendix R**. Personal Care Establishments must close in-person operations between 10:00 PM – 5:00 AM (PST).

- i) **Institutes of Higher Education.** Colleges and universities in Los Angeles County will not be able to resume all in-person academic instruction, at this time. Institutions may continue to offer in person training and instruction for essential workforce for required activities that cannot be accomplished through virtual learning. All other academic instruction must continue to be done via distance-learning as specified in the County's Protocols for Institutes of Higher Education incorporated by reference as **Appendix U**. Faculty and other staff may come to campus for the purpose of providing distance learning, and other activities related to the purposes above, as well as maintaining minimum basic operations. Limited activities may take place on the campus as defined in the County's Protocols for Institutes of Higher Education. The institution must comply with all relevant portions of the County's Protocols for Institutes of Higher Education to maximize safety for all employees, also noted in **Appendix U**.
- j) **Outdoor Malls, Shopping Centers, and Swap Meets** may remain open at up to 20% of overall mall or shopping center capacity. Food court dining areas and common areas located within an Outdoor Mall, Shopping Center or Swap Meet must remain closed to the public until further notice. Members of the public may not consume food or beverages on the premises. Restaurants may only offer food and beverages for takeout, drive thru or delivery. Indoor retail operations at Outdoor Malls, Shopping Centers and Swap Meets must close between the hours of 10:00 PM–5:00 AM (PST), but retailers may remain open for delivery and curbside pick-up. The owner or operator must prepare, implement and post the required County Public Health Protocols for Shopping Center Operators, incorporated by reference as **Appendix E**. Indoor businesses that are part of the Outdoor Mall or Shopping Center may be open at the following capacities:

- i. Essential Indoor Businesses at 35% of maximum occupancy.



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- ii. Non-Essential Indoor Business at 20% of maximum occupancy.
- k) **Miniature Golf, Batting Cages, and Go Cart Racing.** Miniature Golf, Batting Cages, and Go Cart Racing establishments may remain open for outdoor operations only. The indoor portions of these businesses must remain closed to the public until further notice. Capacity of outdoor operations at Miniature Golf, Batting Cages, and Go Cart Racing businesses is limited to 50% maximum occupancy of the outdoor operations area. Arcade and other amusement games may not be operated outside. Food and beverages may not be consumed onsite. The owner or operator of an establishment that offers miniature golf, batting cages, and/or go cart racing must prepare, implement and post the required Public Health Protocols for Miniature Golf, Batting Cages, and Go Cart Racing incorporated by reference as **Appendix V**. These establishments must close in-person operations between 10:00 PM – 5:00 AM (PST).
- l) **Essential Retail.** Essential Retail Businesses are defined in Paragraph 18 of the Order, which is incorporated by reference into this Temporary Order. Essential Retail Businesses, such as, Retail Food Markets, Certified Farmers Markets, Grocery Stores, Gas Stations, Appliances, Electronics, Banks/Credit Union, Pet Stores/Grooming, Laundromats, Hardware, Automobile Dealerships, Car Wash, Auto Repair are open at 35% of maximum indoor capacity and following appropriate retail protocols. Grocery stores and retail food markets must comply with County Public Health Protocols for Grocery Stores and Retail Food Markets, incorporated by reference as **Appendix B-1**, and indoor capacity is limited to 35% of maximum occupancy. Outdoor Certified Farmers Markets must comply with County Public Health Guidance for Certified Farmers Markets and limit occupancy to 50% of outdoor capacity.
- m) **Restaurants.** Restaurants and other food facilities that prepare and serve food are open but only for delivery, drive thru, and carry out. Indoor and outdoor dining is not permitted. Restaurants may continue to offer delivery, drive thru and carry out between the hours of 10:00 PM – 5:00 AM (PST). Restaurants with a moderate risk or high risk restaurant permit issued by the County Public Health and other food facilities must follow the revised Public Health Protocols for Restaurants, incorporated by reference as **Appendix I**. Cafeterias, commissaries, and restaurants located within hospitals, nursing homes, or other licensed health care facilities may provide dine-in service, as long as Social (Physical) Distancing is practiced;



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- n) **Breweries and Wineries.** Breweries and wineries are closed for in-person onsite food and beverage service. Breweries and wineries may remain open for indoor retail operations at 20% of maximum indoor occupancy following County Public Health Retail Protocol, incorporated by reference as **Appendix B**. These establishments must close in-person operations between 10:00 PM – 5:00 AM (PST).
- o) **Childcare Facilities.** All childcare facilities, including those operating at schools, must operate under the LAC DPH Childcare Guidance and the following conditions: (1) Childcare must be carried out in stable cohorted groups of 12 or fewer ("stable" means the same twelve (12) or fewer children are in the same group each day); (2) Children shall not change from one group to another; (3) If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other; (4) Childcare providers shall remain solely with one group of children.
- p) **Drive-In Movie Theaters / Drive-In Events.** Drive-In movie theaters and drive-in events may remain open under the following conditions: All occupants of each car are members of the same household. Operators must follow County Public Health Drive-In Movie Protocol. The movie showing or event must end by 10:00 PM and remain closed until 5:00 AM (PST).
- q) **Libraries.** Libraries that are not on campuses of Institutes of Higher Education may remain open at 20% of maximum indoor capacity. Libraries may elect to continue curbside pick-up operations.
- r) **Swimming Pools.** Outdoor and indoor pools that serve members from more than one household are closed, except that outdoor pools that offer regulated lap swimming (one swimmer per lane) may remain open. All gatherings at pool areas are prohibited. Must close for operations between the hours of 10:00 PM – 5:00 AM (PST).

9. Permitted Activities. The following activities are considered Essential Activities, and are specifically permitted under this Temporary Order:

- a) Engaging in activities or performing tasks important to the health and safety of family or household members (including pets), such as, visiting a health or veterinary care professional, obtaining medical supplies or medication, visiting a physician or child's pediatrician for routine care, such as, well-child visits and vaccinations;



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- b) Obtaining necessary services and supplies for family or household members, or delivering the same, such as, obtaining grocery items or necessary supplies from Essential Businesses for one's household or for delivery to others;
- c) Performing work for or accessing businesses that are open, or to carry out Minimum Basic Operations for businesses that are closed or operating remotely.
- d) Obtaining or accessing services from Essential Governmental Functions, such as, accessing court, social and administrative services, performing jury duty or complying with an order of law enforcement or court;
- e) Caring for minors, the elderly, dependents, persons with disabilities, or other vulnerable persons;
- f) Obtaining in-person behavioral health or substance use disorder support in therapeutic small group meetings, such as Alcoholics Anonymous or Narcotics Anonymous, provided that the gathering is outside and limited to 10 people or fewer and Social (Physical) Distancing is practiced.
- g) Obtaining in-person faith-based counselling services where the service cannot reasonably be practiced remotely, provided that the gathering is outside and limited to 10 people or fewer and Social (Physical) Distancing is practiced.
- h) Attending in-person faith-based services, provided that the faith-based service is held outdoors. There is no maximum attendance for faith-based services that are held outdoors, provided that the attendees have enough space to observe strict Social (Physical) Distancing, including a minimum of six feet between attendees from different households, and are wearing face coverings or masks. Faith-based organizations holding in-person outdoor services, must follow the Public Health Places of Worship Protocols, incorporated by reference as **Appendix F**.²
- i) Permitted activities include engaging in outdoor recreation activity (as an individual or household), in compliance with Social (Physical) Distancing requirements and wearing a face covering, subject to the following limitations:

² Please note, the County of Los Angeles is currently reviewing the U.S. Supreme Court decision in Roman Catholic Diocese of Brooklyn, New York v. Andrew M. Cuomo, Governor of New York, 592 U.S. ____ (2020), issued late on November 25, 2020, to determine what amendments, if any, will be made to this Temporary Targeted Safer At Home Health Officer Order. If there are amendments, those amendments will be issued in a separate Health Officer Order.



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- i. Outdoor recreation activity at parks, trails, piers, and beaches, and other open spaces must comply with any access or use restrictions separately established by the Health Officer, government, or other entity that manages the area to reduce crowding and the risk of COVID-19 transmission. Individuals can engage in active recreation at beaches, parks, and trails by themselves or with members of their household; team sports and any gatherings are prohibited unless with members of only one household. Must close for operations between the hours of 10:00 PM – 5:00 AM (PST).
 - ii. Shared outdoor facilities for recreational activities, including but not limited to golf courses, tennis and pickleball courts, shooting and archery ranges, equestrian centers, model airplane areas, community gardens, skate parks, and bike parks may remain open for individuals or members of a single household while following Social (Physical) Distancing requirements and wearing a face covering. All persons must comply with any access or use restrictions separately established by the Health Officer, government, or other entity that manages the area to reduce crowding and the risk of COVID-19 transmission. Must close for operations between the hours of 10:00 PM – 5:00 AM (PST).
 - iii. Local public entities may elect to temporarily close certain streets or areas to automobile traffic, to allow for increased space for persons to engage in recreational activity permitted by and in compliance with Social (Physical) Distancing requirements specified in this Temporary Order.
- j) **Participating in a Vehicle-Based Parade.** The host of the Vehicle-Based Parade must comply with all local ordinances, traffic control requirements, and state and local laws. Further, the host of Vehicle-Based Parades must comply with County Public Health Vehicle-Based Parade Protocol, incorporate by reference as **Appendix G**. Vehicle-Based Parades may not occur during the hours of 10:00 PM – 5:00 AM (PST).
- k) Participating in an in-person protest as long as the protest is held outdoors. Outdoor protests are permitted without a limit on attendees. Persons participating in a protest must wear a face covering or mask and maintain physical distancing of six (6) feet between persons or groups of persons from different households at all times, as well as observe the Department of Public Health Protocol for Public Demonstrations.



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- 10.** Pursuant to Sections 26602 and 41601 of the California Government Code and Section 101029 of the California Health and Safety Code, the Health Officer requests that the Sheriff and all chiefs of police in all cities located in the Los Angeles County Public Health Jurisdiction ensure compliance with and enforcement of this Order. The violation of any provision of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment or both.
- 11.** This Order shall become effective at 12:01 AM (PST) on November 30, 2020 and will continue to be until 11:59 PM on (PST) December 20, 2020.

IT IS SO ORDERED:



Muntu Davis, M.D., M.P.H.
Health Officer,
County of Los Angeles

11/28/2020

Date

