

## PROCLAMATION NO. 2020-02

### **A PROCLAMATION BY THE CITY MANAGER OF THE CITY OF SANTA FE SPRINGS, CALIFORNIA, ACTING AS THE DIRECTOR OF EMERGENCY SERVICES, ESTABLISHING RULES AND REGULATIONS FOR OUTDOOR DINING**

WHEREAS on March 4, 2020 Governor of California issued a proclamation declaring a State of Emergency as a result of the threat of COVID-19, and on March 12, 2020, through Executive Order N-25-20, he directed all residents to heed any orders and guidance of state and local public health officials.

WHEREAS, on March 13, 2020, the President of the United States issued a proclamation of national emergency, beginning March 1, 2020, due to the COVID-19 outbreak; and

WHEREAS, on March 17, 2020, the City Manager, acting as the Director of Emergency Services, issued a proclamation declaring the existence of a local emergency beginning March 12, 2020, due to the threat of COVID-19; and

WHEREAS, on March 18, 2020, the City Council adopted Resolution No. 9668 ratifying the proclamation declaring the existence of a local emergency; and

WHEREAS, Section 36.05 of Chapter 36 of Title III of the Code of Santa Fe Springs provides certain powers and duties to the City Manager, acting as the Director of Emergency Services, including those conferred upon him by resolution of the City Council.

WHEREAS, to prevent the spread of COVID-19, the County Health Officer has issued orders, the most recent of which directs County residents, including City residents, to shelter at home, except as needed to provide or receive essential services, until rescinded; and

WHEREAS, as the result of the Executive Order N-33-20 and the County Health Officer's Order, businesses that serve food or beverages were prohibited from serving food or beverages onsite; and

WHEREAS, on July 13, 2020, the Governor announced statewide action closing the indoor operations of certain sectors including restaurants; and

WHEREAS, restaurants, can reduce the risk of COVID-19 transmission by serving food or beverages onsite exclusively outdoors and in compliance with State and County public health guidelines; and

WHEREAS, on April 9, 2020, the City Council adopted Resolution No. 9669 ratifying the actions of the City Manager and conferring authority to the City Manager to develop rules and regulations to respond to the state of emergency; and

WHEREAS, many local businesses in the City have experienced and anticipate to continue to experience sudden, drastic, and unexpected revenue or income loss due to temporary business closures and/or reduced operations as a result of the public health emergency, statewide Stay-at-Home Order, state and local public health orders, and the precautions recommended by health authorities; and

WHEREAS, an increase in closed businesses and/or modified business activity, either temporarily or permanently, has had and will continue to have an immediate and potentially long lasting impact on the financial stability of City businesses and on several of the City's most significant revenue sources, which will have a debilitating effect on economic security and public health and safety for the City as a whole; and

WHEREAS, as a result of certain actions by the State and the Los Angeles County Public Health Officer, necessitates the implementation of regulations to ensure such operations are consistent with the restrictions which remain in place, as public health orders still require social distancing and various other health and safety measures to reduce the spread of the virus to the extent possible; and

WHEREAS, the City, pursuant to the police powers delegated to it by the State Constitution, has the authority to enact laws that promote the public health, safety, and general welfare of its residents.

NOW, THEREFORE, IT IS PROCLAIMED AND ORDERED by the City Manager of the City of Santa Fe Springs as follows:

- A. A restaurant owner may apply for a Temporary Outdoor Dining Permit pursuant and subject to the following guidelines:
- B. Only restaurants that already include a dine-in aspect to their facility are eligible for a Temporary Outdoor Dining permit.


- C. As a condition of approval for a Temporary Outdoor Dining Permit, businesses must be in good standing with the city, this includes no outstanding issues or violations.
- D. These guidelines are effective immediately and will remain in effect for 90 days, beginning July 17, 2020 and ending October 15, 2020, unless extended or terminated prior by the City.
- E. All applications for Temporary Outdoor Dining are subject to city approval, including Fire-Rescue, Building, Planning, & Police Services.
- F. Prior to application submittal, permission for Temporary Outdoor Dining must be obtained from the property owner.
- G. A proposed site plan must be submitted along with the Temporary Outdoor Dining application, subject to city approval. Site plan must have the approval of the property owner prior to city review.
- H. Temporary Outdoor Dining is restricted to private property and parking lots only and cannot encroach on to public sidewalks, right-of-way, driveways, or driveway aisles. Dining also cannot impede on vehicle circulation.
- I. If indoor dining options are also available the proposed temporary outdoor dining area cannot exceed either, 50% of the current sq. ft. reserved for indoor dining, or an area that allows equal to 50% max occupancy meeting 6ft distance requirements, subject to site plan approval.
- J. Temporary Outdoor Dining shall not impede or encroach on to ADA parking spaces or building accessibility.
- K. Outdoor Dining is restricted to the business hours of operation or 8am to 10pm, whichever is earlier. This includes set up and breakdown.
- L. All outdoor dining equipment and supplies must brought in at the time of closing and cannot be left overnight.
- M. The use of shaded overhead structures is restricted to umbrellas only, of which the locations and number must be noted on the application and site plan, subject to city approval.
- N. Any use of outdoor lighting requires a lighting plan subject to Building Department approval. All free-standing lighting equipment must be in

uniform design and cannot be connected to public facilities, subject to Building Department approval.

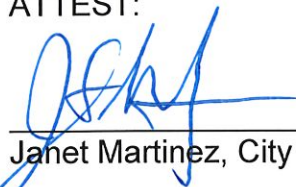
- O. If locating outdoor dining within a parking lot area, a defined barrier is required such as fences, tape, cones, plants, etc. to separate dining area from parking and vehicle circulation, subject to city approval.
- P. Outdoor Dining is restricted to building/tenant frontage, any exceptions may be made only at the discretion of the Director or Planning and pending city approval.
- Q. Businesses are responsible for maintaining clean dining areas free of trash and debris and to provide adequate refuse containers.
- R. The City of Santa Fe Springs reserves the right to take away Temporary Outdoor Dining privileges at its discretion for reasons including, but not limited to, deficiencies of strict adherence to the Temporary Out Door Dining Guidelines, or State, County, and local public health requirements.
- S. All applicants are required to show proof of general liability insurance in the amount of \$1,000,000 with coverage for property damage and personal injury naming the city, its officers, agents, and employees as additional insureds.
- T. Restaurants that are already in possession of an ABC license and wish to serve alcohol within the Outdoor Dining area must first obtain an ABC COVID-19 Temporary Catering Authorization license.

**PROCLAIMED this 17<sup>th</sup> day of July 2020.**



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Raymond R. Cruz, City Manager

ATTEST:



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Janet Martinez, City Clerk