

**CITY OF MANHATTAN BEACH
DIRECTOR OF EMERGENCY SERVICES ORDER NO. 2**

**ORDER RE CLOSURE OF THE PIER, THE STRAND, PARKS, AND DESIGNATED
PARKING LOTS
EFFECTIVE MARCH 27, 2020 AT 12:01 a.m.**

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named “SARS-CoV-2,” and the disease it causes has been named “coronavirus disease 2019,” abbreviated COVID-19, (“COVID-19”);

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 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 13, 2020, the City Council adopted Resolution No. 20-0039, A Resolution of the City Council of the City of Manhattan Beach Proclaiming the Existence of a Local Emergency;

WHEREAS, on March 17, 2020, the City Council ratified Resolution No. 20-0039;

WHEREAS, on March 17, 2020, the City Council adopted Ordinance No. 20-0013-U which, *inter alia*, adopted by reference the County Order, imposed regulations regarding social distancing, and recommended additional social distancing practices;

WHEREAS, the City Manager is the Director of Emergency Services in the City of Manhattan Beach. Pursuant to Manhattan Beach Municipal Section 3.08.060.A.6.a, the City Manager as the Director of Emergency Services is empowered during a local emergency to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency;

WHEREAS, on March 19, 2020, acting under the authority vested in me as the Director of Emergency Services, I ordered the closure of Manhattan Beach Pier and all City parks, fields, sports courts, exercise equipment, and other recreational facilities;

WHEREAS, on March 19, 2020, the Governor of the State of California issued Executive Order N-33-20, directing all residents of the State of California to heed directives issued by the State Health Officer on the same date instructing all Californians to stay home except as needed to maintain continuity of operations of the federal critical infrastructure sectors (the “State Stay at Home Order”);

WHEREAS, on March 19, 2020, the Los Angeles County Department of Public Health issued an enhanced Health Officer Order, the Safer at Home Order for Control of COVID-19, amending and superseding its March 16, 2020 Order, closing all nonessential businesses, and limiting gatherings to 9 people or less;

WHEREAS, on March 21, 2020, the Los Angeles County Department of Public Health issued an enhanced Health Officer Order, the Safer at Home Order for Control of COVID-19, amending and superseding its March 16, 2020, and March 19, 2020 Orders, closing all nonessential businesses and prohibiting gatherings of non-household members;

WHEREAS, on March 24, 2020, acting under the authority vested in me as the Director of Emergency Services, I ordered the closure of the parking lots located at El Porto, Bruce's Beach, and the Manhattan Beach Pier, except for City residents who possess valid and current residential parking permits for the relevant lots;

WHEREAS, on March 25, 2020, the City Council adopted Ordinance No. 20-0014-U which, *inter alia*, required all persons and businesses to comply with health and safety measures required by a state or county order related to COVID-19;

WHEREAS, on March 27, 2020, the Los Angeles County Department of Public Health issued a Health Officer Order closing, among other things, all County beaches;

WHEREAS, on March 27, 2020, the City Council adopted Ordinance No. 20-0015-U which, *inter alia*, amended Ordinance No. 20-0014-U to clarify that all persons and businesses must also comply with health and safety measures required by state or county guidelines related to COVID-19;

WHEREAS, on March 27, 2020, acting under the authority vested in me as the Director of Emergency Services, I ordered the closure of the beach walking path known as the Strand in conjunction with the County's closure of the adjacent County beaches;

WHEREAS, as of April 7, 2020, the Los Angeles County Department of Public Health has confirmed 6,910 cases of COVID-19 in Los Angeles County and that number is expected to continue to rise;

WHEREAS, the City's public spaces, parks, and facilities continue to attract groups of people who often fail to comply with health and safety measures required by state or county order or guidelines related to COVID-19;

WHEREAS, this Emergency Order No. 2 memorializes the closures of certain City spaces, parks, and facilities that I initially ordered on March 19, 2020, March 24, 2020, and March 27, 2020; and

WHEREAS, in the interest of the public health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary to exercise my authority pursuant to Chapter 3.08 of the Manhattan Beach Municipal Code, Manhattan Beach City Council Resolution No. 20-0039, and the California Emergency Services Act, Chapter 7 (commencing with Section 8550) of Title 2 of the Government Code, to issue this order.

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

Section 1. The recitals set forth above are true and correct and are incorporated into this Order by reference.

Section 2. The following City spaces, parks, and facilities are closed until further notice:

A. Manhattan Beach Pier.

B. All City parks, fields, sports courts, exercise equipment, and other recreational facilities.

C. The parking lots located at El Porto, Bruce's Beach, and the Manhattan Beach Pier, provided, however, that this closure shall not apply to City residents who possess valid and current residential parking permits for the relevant lots. Such lots are more specifically described as:

- El Porto Lot (APNs: 4137013906, 4137013907, 4137013908)
- County Lots at 26th Street Lot (APNs: 4177024900, 4177024902)
- State Pier Lots (APNs: 4179019905, 4179022900, 4179031903)

D. The beach walking path known as the Strand, as further defined in Manhattan Beach Municipal Code Section 12.12.010.

Section 3. Any violation of this Order is a misdemeanor and punishable by a fine of \$1000 or imprisonment, or both, pursuant to Government Code Section 8665 and Chapters 1.04 of the Manhattan Beach Municipal Code, and any other state or city law as may be applicable. In accordance with Municipal Code Chapter 1.06, the City, at its sole discretion, may prosecute any violation through the administrative process set forth therein.

Executed on April 8, 2020.

/s/ Bruce Moe

City Manager Bruce Moe

Director of Emergency Services