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**CITY OF HERMOSA BEACH  
DIRECTOR OF EMERGENCY SERVICES**

**EXECUTIVE ORDER NO. 2020-03**

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**EMERGENCY EXECUTIVE ORDER OF THE CITY  
MANAGER/DIRECTOR OF EMERGENCY SERVICES OF  
THE CITY OF HERMOSA BEACH, CALIFORNIA,  
IMPLEMENTING EMERGENCY MEASURES TO  
PREVENT THE SPREAD OF COVID-19**

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**SECTION 1. RECITALS**

- A. 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 which has been named “coronavirus disease 2019,” abbreviated COVID-19 (“COVID-19”).
- B. On March 4, 2020, the Los Angeles County Board of Supervisors and Department of Public Health declared a local emergency and local public health emergency to aid the regional healthcare and governmental community in responding to COVID-19.
- C. 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 a broader spread of COVID-19.
- D. 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.
- E. On March 15, 2020, the Mayor Mary Campbell declared a local emergency to ensure an effective City response to COVID-19. At a special meeting on March 16, 2020, the City Council adopted Resolution No. 20-7230, approving and ratifying the declaration of emergency.
- F. On March 16, 2020, the Los Angeles County Public Health Officer issued an order countywide that (1) prohibited gatherings where at least 50 or more people are expected to attend, (2) puts limits and regulations on gatherings of 10-49 people, (3) limits restaurants to drive-through/takeout/delivery only, and (4) closes bars (that don’t serve food), gyms, movie theaters, etc.

- 1 G. The Centers for Disease Control and Prevention, the California Department of  
2 Health, and the Los Angeles County Department of Public Health have all  
3 issued recommendations including but not limited to strict adherence to social  
4 distancing guidelines, canceling or postponing group events, working from  
5 home, and other precautions to protect public health and prevent transmission of  
6 this communicable virus. Other counties throughout the state have similar  
7 directives.
- 8 H. On March 19, 2020 the Los Angeles County Public Health Officer issued a  
9 second countywide order, the ‘Safer at Home’ Order, which was further  
10 clarified on March 21, 2020. This public health order prohibits all public and  
11 private group gatherings and events and requires people to stay in their homes  
12 with limited exceptions; and requires closure of all non-essential retail  
13 businesses, shopping centers, playgrounds for children, bars, nightclubs, movie  
14 theaters and all similar gathering places. The purpose of the order is to further  
15 restrict, and limit gathering of persons and require closures of non-essential  
16 retail businesses in an effort to stem or slow the spread of the virus.
- 17 I. On March 19, 2020, the Governor of the State of California, also issued  
18 Executive Order N-33-20, an Order of the State Public Health Officer ordering  
19 all individuals living in California to stay home or at their place of residence  
20 except as needed to maintain continuity of operations of outlined federal critical  
21 infrastructure sectors.
- 22 J. On May 13, 2020, the Los Angeles County Public Health Officer issued a  
23 Revised Order entitled “Continuation of Safer at Home Order that begins to  
24 move the County of Los Angeles into Stage 2 of the County’s Roadmap to  
25 Recovery” (“May 13 Revised Order”) that (i) allows specified “Lower Risk  
26 Retail Businesses” to reopen for curbside, doorside, outdoor or outside pick-up,  
27 (ii) partially and conditionally re-opens public beaches for certain types of  
28 active recreation, and (iii) re-opens additional recreational opportunities.
- K. During the term of the local emergency and statewide state of emergency, the  
Director of Emergency Services is empowered: “[to] make and issue rules and  
regulations on matters reasonably related to the protection of life and property  
as affected by such emergency; provided, however, such rules and regulations  
must be confirmed at the earliest practicable time by the City Council. . .” under  
Section 2.56.050 A.(6)(a) of the Hermosa Beach Municipal Code.
- L. Failure to abide by public health directives is unsafe and dangerous in this  
unprecedented time of a worldwide health pandemic. Violations of or failure to  
comply is a crime punishable by fine, imprisonment, or both.

1 M. This Order is adopted pursuant to the City's police powers and powers afforded  
2 to the City in time of national, state, county and local emergency during an  
3 unprecedented health pandemic, such powers being afforded by the State  
4 Constitution, State law, and the Section 2.56.060 of the Hermosa Beach  
Municipal Code to protect the peace, health, and safety of the public, and to  
protect life and property as affected by the emergency.

5 **SECTION 2.** The following emergency orders are issued effective as of the date set forth  
6 below and shall supersede any previous emergency orders inconsistent  
7 herewith:

8 1. Consistent with the provisions of the County Health Officer's May 13, 2020  
9 Revised Order, the beach will be open from 6:00 a.m. to 9:00 p.m. subject to the  
following:

10 a. Only the following limited activities are allowed:

- 11 i. Individual or household ocean activities such as surfing, swimming,  
kayaking, paddle boarding, and body surfing.
- 12 ii. Individual or household active recreation and exercise such as  
13 walking and running where the participants do not remain in a  
stationary location.

14 b. The following activities are prohibited:

- 15 i. Sunbathing, sitting, lying on the sand and other stationary activities  
(such as yoga, calisthenics, or meditation).
- 16 ii. Picnicking.
- 17 iii. Use of chairs, canopies or coolers.
- 18 iv. Biking.
- 19 v. Group or organized sports such as volleyball.
- vi. Gatherings or events.
- vii. Fishing.

20 c. Individuals/households must exit the beach immediately after they recreate.

21 d. All beachgoers must follow the following safety requirements:

- 22 i. Maintain more than 6 feet physical distance from others at all times  
(except between members of same household).
- 23 ii. Wear face coverings, when out of the water and around others  
24 (except for children under age 2 and children with breathing  
25 problems).

26 2. All City parks and the beach are closed daily from 9:00 p.m. to 6:00 a.m.

27 3. The Strand and Pier remain closed.

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4. City parking facilities are subject to the following regulations, subject to further modification by the City Manager/Director of Emergency Services as may be required to maintain public safety and order and to enforce the City's emergency orders:
    - a. All, or parts of, Lot A, Lot B, Lot C, and Lot D will be closed.
    - b. Temporary short-term parking spaces will be established in Lot A and Lot D.
    - c. Monthly permit parking spaces will be provided in Lot D.
    - d. Temporary parking spaces will be designated at various locations on City streets.
  5. Consistent with the provisions of the County Health Officer's May 13, 2020 Revised Order, all Lower Risk retail Businesses that sell goods and services to the public may only provide these goods and services to the public via curbside, doorside, or other outdoor or outside pickup, or via delivery. Members of the public are not permitted inside a retail Low-Risk Retail Business. Lower Risk Businesses may set up a table or shade structure in a manner to accommodate pickup, provided that patrons practice social distancing as provided in the May 13, 2020 Revised Order and provided that minimum 5-foot clearance is maintained along public walkways. Outdoor display of merchandise is prohibited.
  6. In addition to enforcement remedies available to the City as provided in the Hermosa Beach Municipal Code, emergency executive orders issued by the City Manager/Director of Emergency Services and emergency resolutions adopted by the City Council shall be enforceable by way of:
    - a. Imposing an administrative citation pursuant to HBMC Chapter 1.10.
    - b. Prosecuting a misdemeanor, punishable by a fine of not to exceed one thousand (\$1,000) dollars or by imprisonment for not to exceed six months, or both.


24 **SECTION 3.** Severability. If any section, subsection, sentence, clause, phrase or word of this  
25 Order is found to be unconstitutional or otherwise invalid by any court of  
26 competent jurisdiction, such decision shall not affect the remaining provisions  
27 of this Order.


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**SECTION 4.** Effective Date and Termination. This Order shall become effective immediately and shall continue until the earlier to occur of: (1) the conclusion of the local emergency; (2) its termination is ordered by the City Manager/Director of Emergency Services; or (3) it is duly terminated by the City Council. The Order may also be superseded by a duly enacted ordinance or order of the City Council expressly superseding this Order.

**ORDERED** by the City Manager/Director of Emergency Service this 14th day of May, 2020.

**ATTEST:**

  
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Suja Lowenthal, City Manager and  
Director of Emergency Services

  
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Acting City Clerk