

**DIRECTOR OF EMERGENCY SERVICES  
EXECUTIVE ORDER NO. 2020-14**

**WHEREAS**, in December 2019, a novel coronavirus known as SARS-CoV-2 was first detected in Wuhan, Hubei Province, People’s Republic of China, causing outbreaks of the coronavirus disease COVID-19 that has now spread globally; and

**WHEREAS**, on January 31, 2020, the United States Secretary of Health and Human Services declared a public health emergency in response to COVID-19; and

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom declared a state of emergency to exist in California as a result of COVID-19; and

**WHEREAS**, on March 4, 2020, the Chair of the Los Angeles County Board of Supervisors and the Los Angeles County Health Officer declared a local emergency and a local health emergency, respectively, as a result of COVID-19; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a national emergency as a result of COVID-19; and

**WHEREAS**, Calabasas Municipal Code section 2.44.060 empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session; and

**WHEREAS**, the City Manager, acting as the Director of Emergency Services, did proclaim the existence of a local emergency within the City on the 16<sup>th</sup> day of March 2020; and

**WHEREAS**, the City Council ratified the City Manager’s proclamation on March 16, 2020, and mostly recently affirmed that the local emergency continues to exist on June 24, 2020; and

**WHEREAS**, Government Code section 8634 states, “During a local emergency the governing body of a political subdivision, or officials designated thereby, may promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety. Such orders and regulations and amendments and rescissions thereof shall be in writing and shall be given widespread publicity and notice.”

**NOW, THEREFORE,** I, Raymond Taylor, Interim City Manager of the City of Calabasas, as Director of Emergency Services, in accordance with the authority vested in me by Government Code section 8634, Calabasas Municipal Code section 2.44.060, do hereby issue the following order to become effective immediately:

**IT IS HEREBY ORDERED THAT:**

1. Any business located within the City may establish or expand outdoor operations areas, provided these areas:
  - a. Maintain Americans with Disabilities Act accessibility.
  - b. Are under the control of the business or authorization has been obtained (such as from landlord or City, if located on a public right of way).
  - c. Comply with all applicable State and Los Angeles County Department of Public Health regulations.
  - d. Comply with the City of Calabasas Requirements for Temporary Outdoor Business Areas issued by the Community Development Director.

Any business seeking to establish or expand outdoor operations areas must apply for and receive approval for the proposed outdoor operations area via a Temporary Use Permit from the Community Development Department. The City shall not charge a fee for the Temporary Use Permit application.

2. Any business may establish outdoor operations areas in the public rights of way, such as sidewalks, upon prior approval of the City's Public Works Director and subject to State, Los Angeles County Public Health, and City guidelines via issuance of an Encroachment Permit, in addition to the Temporary Use Permit required by Section 1 of this Order. The business must maintain Americans with Disabilities Act access. Anything added to public sidewalks shall not impede sight distances, access to utilities, or the minimum necessary safe pedestrian path of travel and shall address safety from vehicles, each to be judged in the discretion of the Public Works Director. The business shall be required to remove any temporary encroachment into the public right of way if required to do so by the City's Public Works Director. The City shall not charge a fee for the Encroachment Permit.

3. Outdoor business areas may include converted parking areas, provided:
  - a. The reduced business occupancy supports these conversions.
  - b. The City's Community Development Director or designee determines, in writing, that the conversion can be accomplished safely.
  - c. Any outdoor operations area established by conversion of parking areas must provide for safe separation of the outdoor operations

area from the remaining parking area, such as by the installation of large planters or other appropriate barrier.

**4.** A gym or fitness business may establish outdoor operations areas in open areas of a public park, but only upon prior approval of the City's Community Services Director and subject to State, Los Angeles County Public Health, and City guidelines via entering into a temporary facility use agreement, in addition to the Temporary Use Permit required by Section 1 of this Order. Any use of a public park under this authorization shall not prohibit public use of the park and shall address social and physical distancing and other health and safety requirements, each to be judged in the discretion of the Community Services Director. The business shall be required to remove any temporary operations in a public park if required to do so by the City's Community Services Director. The City shall not charge a fee for the temporary facility use agreement, but may require insurance and indemnity obligations to be met, ensuring sufficient protection for the City as judged necessary by the Community Services Director.

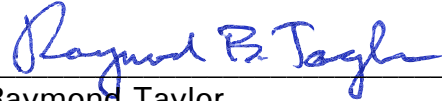
**5.** Failure to comply with this Order shall constitute a misdemeanor subject to fines and imprisonment as provided for by applicable law, including Calabasas Municipal Code section 2.44.100. I hereby urge the Los Angeles County Sheriff's Department and the City Attorney to vigorously enforce this Order pursuant to law. Further, the City's Code Enforcement Officers are hereby empowered to enforce compliance with this order within the City of Calabasas, under Calabasas Municipal Code Chapter 1.17 and any other applicable law.

**6.** This Order shall be filed in the office of the City Clerk, posted at Juan de Anza Bautista Park, the Calabasas Tennis and Swim Center, Agoura Hills/Calabasas Community Center, Gelson's Market, at Calabasas City Hall, and published in a local newspaper.

**7.** This Order and its allowance for expanded temporary outdoor operations areas shall remain in place until six months after the ending of the declared local emergency.

**8.** If any provision of this Order to the application thereof to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

SO ORDERED.

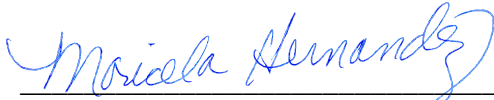


---

Raymond Taylor  
Director of Emergency Services  
City of Calabasas

Date signed: July 17, 2020

ATTEST:



---

Maricela Hernandez, City Clerk  
*Master Municipal Clerk*  
*California Professional Municipal Clerk*

APPROVED AS TO FORM:



---

Matthew T. Summers  
Colantuono, Highsmith & Whatley, PC  
Assistant City Attorney