



**CITY OF PALM SPRINGS  
LOCAL EMERGENCY  
AMENDED SUPPLEMENTARY ORDER  
ESSENTIAL CONSTRUCTION PROJECTS**

**April 25, 2020**

**WHEREAS**, on March 14, 2020, pursuant to the City of Palm Springs Municipal Code section 2.20.050(a)(1), the City Manager, acting as the Director of Emergency Services, declared the existence of a local emergency within the City of Palm Springs, due to the threat presented by the COVID-19 pandemic, which declaration was subsequently ratified by the Palm Springs City Council on March 19, 2020; and

**WHEREAS**, on March 19, 2020, the State of California imposed a “shelter in place” order, which required all persons in California to stay at home, unless they are essential workers; and

**WHEREAS**, pursuant to Palm Springs Municipal Code section 2.20.050(a)(6), 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; and

**WHEREAS**, on April 7, 2020, the Director of Emergency Services issued an emergency order related to essential/non-essential construction projects; and

**WHEREAS**, the Director of Emergency Services is authorized to revise his emergency declaration and related orders, as the situation evolves.

**NOW, THEREFORE, IT IS HEREBY DECLARED AND ORDERED, that:**

1. Construction projects have the potential of exposing the City’s Building Inspectors to the COVID-19 virus. Therefore, all residential and commercial construction projects, except those defined in this Supplementary Order as “Essential Construction Projects”, shall be suspended until further notice. In addition to the Social Distancing Protocols set forth below, whenever possible,

inspections shall be conducted via remote video-conferencing technology, such as Skype, Zoom, Facetime, etc.

2. "Essential Construction Projects" are limited to the following:
  - a. Projects immediately necessary to the maintenance, operation, or repair of "Essential Infrastructure," including airports, utilities (including water, sewer, gas, and electrical), oil refining, roads and highways, public transportation, solid waste facilities (including collection, removal, disposal, and processing facilities), cemeteries, mortuaries, crematoriums, and telecommunications systems (including the provision of essential global, national, and local infrastructure for internet, computing services, business infrastructure, communications, and web-based services);
  - b. Projects associated with "Healthcare Operations," including creating or expanding Healthcare Operations, provided that such construction is directly related to the COVID-19 response. Healthcare Operations is defined to include hospitals, clinics, COVID-19 testing locations, dentists, pharmacies, blood banks and blood drives, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services, and excludes fitness and exercise gyms and similar facilities. Healthcare Operations also includes veterinary care and all healthcare services provided to animals. This exemption for Healthcare Operations construction shall be construed broadly to avoid any interference with the delivery of healthcare, broadly defined;
  - c. Affordable housing that is or will be income-restricted, including multi-unit or mixed-use developments containing at least 10% income-restricted units;
  - d. Public works projects if specifically designated as an "Essential Governmental Function" by the lead governmental agency undertaking them;
  - e. Shelters and temporary housing, but not including hotels or motels;
  - f. Projects immediately necessary to provide critical non-commercial services to individuals experiencing homelessness, elderly persons, persons who are economically disadvantaged, and persons with special needs;
  - g. Construction necessary to ensure that existing construction sites that must be shut down under this Supplementary Order are left in a safe and secure manner, but only to the extent necessary to do so; and
  - h. Construction or repair necessary to ensure that residences are safe, sanitary, or habitable to the extent such construction or repair cannot reasonably be delayed; and

- i. Construction or repair necessary to ensure that buildings containing “Essential Businesses” as defined in the State Shelter in Place Order, as interpreted and implemented by Riverside County, are safe, sanitary, or habitable to the extent such construction or repair cannot reasonably be delayed; and
  - j. Construction of new single family or multiple-unit housing projects (including accessory dwelling units), including construction of related accessory structures (i.e., pools, patio covers, etc.).
  - k. Construction of accessory structures (i.e., pools, patio covers, etc.) at existing residences, where the scope of the work occurs primarily to the exterior of the building/structure.
  - l. Construction or installation of new solar photovoltaic systems or battery storage systems.
  - m. Demolition or interior remodel within existing residential buildings, but only if such building is entirely vacant and not occupied.
  - n. Demolition or interior remodel within existing commercial buildings, but only if such building is entirely vacant and not occupied and has no business or commercial activity occurring inside such building.
  - o. Removal and replacement of roofing and roof structures on existing residential or commercial buildings.
- 3.** All construction sites where “Essential Construction Projects” will proceed must have prepared and posted by no later than 11:59 p.m. on April 8, 2020 a “Social Distancing Protocol.” The Social Distancing Protocol must be substantially in the form attached to this Supplementary Order as Appendix A. The Social Distancing Protocol must be posted at or near the entrance of the relevant site, and shall be easily viewable by the public and employees. A copy of the Social Distancing Protocol must also be provided to each employee performing work at the construction site. All construction sites where construction will occur shall implement the Social Distancing Protocol and provide evidence of its implementation to any authority enforcing this Supplementary Order upon demand. The Social Distancing Protocol must explain how the construction site is achieving the following, as applicable:
- a. Limiting the number of people who can enter into the site at any one time to ensure that people in the site can easily maintain a minimum six-foot distance from one another at all times;
  - b. Where lines or crowds may form at a site, marking six-foot increments at a minimum, establishing where individuals should stand to maintain adequate social distancing;

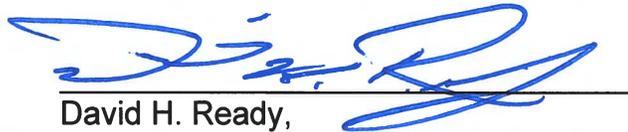
- c. Providing hand sanitizer, soap and water, or effective disinfectant at or near the entrance of the site and in other appropriate areas for use by employees and the public;
  - d. Regularly disinfecting high-touch surfaces;
  - e. Posting a sign at the entrance of the site informing all employees and the public that they should: avoid entering the facility if they have a cough or fever; maintain a minimum six-foot distance from one another (including while having meals/breaks); sneeze and cough into one's elbow; not shake hands or engage in any unnecessary physical contact; and
  - f. Any additional social distancing measures then being implemented (see the Centers for Disease Control and Prevention's guidance at: <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>).
4. All employees working on "Essential Construction Projects" must follow the required Social Distancing Protocol at their respective construction sites, and other social distancing and protective standards or guidelines as may be promulgated from time to time by City, County, State and federal authorities.
5. In furtherance of this Supplementary Order, unless expressly qualifying as "Essential Construction Projects," the following types of construction projects with active building permits, or with pending building permit applications, to be suspended by this order until termination of the local emergency, include, but are not limited to, the following:
- a. Demolition and/or interior remodel of any space within an existing dwelling unit, or any addition thereto, where such dwelling unit is occupied;
  - b. Demolition and/or interior remodel of any space within a commercial building, or completion of "tenant improvements" (TI's), or any addition thereto, where such building is occupied or has business or commercial activities occurring therein.
6. In furtherance of this Supplementary Order, the City will continue to process the review and approval of all currently active building permit applications during the effectiveness of this Supplementary Order. However, issuance of building permits for construction projects not considered "Essential Construction Projects" will be deferred until such time as this Supplementary Order is terminated. Any building permit for any project that is deferred by this Supplementary Order shall automatically be extended by a period that is equal to the time period that begins on March 14, 2020 and ends on the day that the City of Palm Springs declares the end of this local state of emergency.

**IT IS FURTHER DECLARED AND ORDERED, that the City's code enforcement or peace officers shall be authorized to enforce this order. Such enforcement shall**

begin with informing applicable businesses of the requirements of this order. In the event a business is found in violation of this order, after previously being informed of the requirements of this order, the City may impose administrative fines, pursuant to Palm Springs Municipal Code sections 1.06.040 and 2.20.100 and City Council Resolution 24738, dated March 19, 2020. The citing officer shall be entitled to exercise his/her discretion in determining the amount of any such fine, having taken into consideration the severity of the violation. In addition, continued violations of this order may result in the closure of any construction site that violates this order.

**IT IS FURTHER DECLARED AND ORDERED**, this order is a temporary emergency measure, which is effective immediately and shall remain in effect unless and until modified or superseded by the Director of Emergency Services, City Council or any county, state or federal order or declaration.

April 25, 2020



David H. Ready,  
City Manager/Director of Emergency Services

**APPROVED AS TO LEGAL FORM:**



Jeffrey S. Ballinger, City Attorney

## **Appendix A: Social Distancing Protocol**

**Business name:** \_\_\_\_\_ **Permit No.:** \_\_\_\_\_

**Construction Project Address:** \_\_\_\_\_

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**Businesses must implement all applicable measures listed below and be prepared to explain why any measure that is not implemented is inapplicable to the business or construction project.**

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### **Signage:**

- Signage needs to inform all employees and customers that they should avoid entering the jobsite if they have a cough or fever, include instructions to maintain a minimum six-foot distance from one another, to sneeze and cough into a cloth or tissue or, if not available, into one's elbow, and not to shake hands or engage in any unnecessary physical contact.
  - Signage of the Social Distancing Protocol must be placed at each entrance of the project.
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### **Measure To Protect Employee Health (check all that apply to the project):**

- Everyone who can carry out their work duties from home has been directed to do so.
  - All employees have been told not to come to work if sick.
  - Symptom checks are being conducted before employees may enter the workspace.
  - All desks or individual workstations are separated by at least six feet.
  - Breakrooms, bathrooms, and other common areas are being disinfected frequently on the following schedule:
    - Break rooms: \_\_\_\_\_
    - Bathrooms: \_\_\_\_\_
    - Other: \_\_\_\_\_
  - Disinfectant and related supplies are available to all employees at the following location(s): \_\_\_\_\_
  - Hand sanitizer effective against COVID-19 is available to all employees at the following location(s): \_\_\_\_\_
  - Soap and water are available to all employees at the following location(s): \_\_\_\_\_
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- Copies of this Protocol have been distributed to all employees.
  - Every employee must wear a face covering while on the jobsite.
  - Optional – Describe other measures: \_\_\_\_\_
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**You may contact the following person with any questions or comments about this protocol:**

**Name:** \_\_\_\_\_ **Phone Number:** \_\_\_\_\_

Jobsite Superintendent

## **Appendix A: Protocolo de Distanciamiento Social**

*Nombre de Negocio:* \_\_\_\_\_ *Numero de Permiso:* \_\_\_\_\_

*Direccion del Proyecto en Construcción:* \_\_\_\_\_

**Los negocios deben implementar todas las medidas indicadas abajo, de no ser asi deben de estar preparados para explicar porque es incapaz de implementar las medidas en el negocio o area de construcción.**

### **Señalización:**

- La señalizacion nesecita informar a los empleados y clientes que deben evitar entrar al Proyecto si tienen toz o fiebre, incluir instrucciones de mantener por lo menos seis pies de distancia de uno a otro, estornudar o tocer en un panuelo, de no estar disponible hacerlo en el codo, no darce la mano ni participar en cualquier contacto fisico innecesario.
- Señalización del Protocolo de distanciamiento social debe de estar diponible en cada entrada.

### **Medios para Proteger la Salud de los Empleados:**

- Todo el que pueda hacer su trabajo desde casa, debe hacerlo.
- Se le informa a los empleados que si estan enfermos no se presentan al trabajar.
- Se revisaran síntomas antes de entrar al trabajo.
- Todos los escritorios o estacciones de trabajo estan separados por lo menos seis pies.
- Sala de Descanso, baños y otras areas communes deban de ser desinfectados frecuentamente con un horario en seguimiento:
  - Sala de descano: \_\_\_\_\_
  - Baños: \_\_\_\_\_
  - Otro: \_\_\_\_\_
- Desinfectar y proviciones estan disponible en los siguientes lugares:
- Desinfectante de manos efectivo contra el COVID-19 esta disponible para todos los empleados es los siguientes lugares:
- Agua y jabon estan disponibles para todos los empeados en los siguientes lugares: \_\_\_\_\_

- Se han distribuido copias de este protocol a todos los empeados.
- Todos los empleados deben de usar mascara facial mientras esta en el trabajo.
- Otras medidas: \_\_\_\_\_

*Si se necesita mas informacion de este protocol, pueden contractar:*

**Nombre:** \_\_\_\_\_ **Numero de Telefono:** \_\_\_\_\_  
Nombre de el Encardado de este Proyecto