CITY OF PALM SPRINGS
LOCAL EMERGENCY
SUPPLEMENTARY ORDER
INCORPORATING BY REFERENCE THE GOVERNOR'S EXECUTIVE ORDER N-33-20 (SHELTER IN PLACE)

July 1, 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 Governor of the State of California ordered all individuals living in the State of California to stay home or at their place of residence, except as need to maintain continuity of operations of the federal critical infrastructure sectors, as described in said order; 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 City Manager/Director of Emergency Services issued an emergency order that incorporated by reference the Governor's Shelter in Place Order (Executive Order N-33-20; and

WHEREAS, on May 8, 2020, the Riverside County Board of Supervisors rescinded three (3) of the four (4) remaining County Health Officer emergency orders, including those that required face coverings generally and social distancing; and

WHEREAS, on May 9, 2020, the City Manager/Director of Emergency Services amended this order to require face coverings and social distancing generally; and

WHEREAS, on June 5, 2020, the City Manager/Director of Emergency Services amended this order to address face covering requirements and exceptions under newly issued re-opening State Guidelines; 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. Executive Order N-33-20 (Shelter in Place), dated March 19, 2020 is hereby incorporated into this order as though fully set forth herein, and shall be deemed to be an order of the City of Palm Springs Director of Emergency Services within the City of Palm Springs.

2. The City of Palm Springs Director of Emergency Services' order contained in Section 1, above, shall be subject to the following, whether issued prior to, or following, the date of this order:

(a) any other Executive Order(s) issued by the Governor of the State of California;
(b) any order(s) issued by Riverside County Public Health Officer or Emergency Services Director, as well as any clarifying guidance issued by Riverside County; and
(c) any other emergency order issued by the City of Palm Springs Director of Emergency Services.

3. All persons, including Essential Workers, must wear face coverings, such as scarves (dense fabric, without holes), bandanas, neck gaiter, or other fabric face coverings. All persons, including Essential Workers, are discouraged from using Personal Protective Equipment (PPE), such as N95 masks, for non-medical reasons.

Face coverings must be worn in public settings, such as:

- Waiting in line to go inside a store
- Outdoors, standing, walking, hiking, bicycling or running, on any sidewalk that is adjacent to any business establishment.
- In fitness centers (including gyms, yoga studios, and dance fitness studios). Face coverings must be worn at all times within such locations, including while exercising.
- Shopping at a store
- Picking up food, or in-person dining, at a restaurant that is allowed to be open.
- Picking up, or in-person shopping for, retail goods at a retail store
- On public transportation (or waiting for it)
- In a taxi or rideshare vehicle
- Seeking healthcare

- Going into facilities allowed to stay open
- Working at a job that interacts with the public
- Children 2 years and older should be encouraged to wear a face covering when around others closer than 6 feet. When they do, they must be supervised by an adult.

Face coverings are NOT required to be worn by people who are:

- At home
- In the car alone or with members of their own household
- Seated at a table or bar at a restaurant that is allowed to be open. However, if an employee (such as a waiter/waitress, etc.) approaches the table/bar, each person at the table/bar must put on his/her face covering while the employee is present at the bar/table.
- Children under the age of 2 years, due to the risk of suffocation.
- Outdoors, standing, walking, hiking, bicycling or running, at a location other than on a sidewalk adjacent to a business establishment. However, people must comply with social distancing during these activities, including maintaining at least 6 feet of distance from other people. People should also have a face covering readily accessible.
- Those with a health condition whose medical provider has advised against wearing a face covering and can provide documentation. However, such persons must wear a protective face shield, similar to the following:

Businesses (whether for profit or not for profit) must:

- Require their workers, contractors, owners, and volunteers to wear a face covering at the workplace and when performing work off-site;
- Post a sign at a conspicuous location at each entrance to the business, advising of the requirement to wear face coverings and practice social distancing;
- Every hotel, motel, vacation rental, or timeshare must post signage, advising of the face covering and social distancing rules applicable within the City of Palm Springs. Such signage must be posted at a conspicuous location at every entrance and exit to such building, as well as on the inside of the door of every hotel/motel/timeshare room. For vacation rentals, such signage must be posted on or next to the main door on the inside.
- Take reasonable steps to keep people who are not wearing a face

covering from entering the business; and

- Refuse service to anyone not wearing a face covering.

4. All persons are required to engage in "social distancing" by maintaining a six-foot separation from all persons except for members of their same household and medical providers with the appropriate personal protection equipment.

5. Persons who are 65 or older and/or have chronic underlying health conditions or a compromised immune system are at severely increased risk from the virus and therefore must limit exposure to a greater degree, take more care and be much more cautious while engaging in essential activities.

IT IS FURTHER DECLARED AND ORDERED, that pursuant to Palm Springs Municipal Code sections 1.06.040 and 2.20.100 and City Council Resolution 24738, dated March 19, 2020, the City may impose administrative fines for violations of this order. 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 by any business may result in the closure of any facility, or revocation of any applicable permit/certificate, including the establishment's City business license.

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.

July 1, 2020

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

APPROVED AS TO LEGAL FORM:

Jeffrey S. Bellinger, City Attorney