

RESOLUTION NO. 2020-016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, REQUIRING ALL PERSONS TO WEAR PROTECTIVE FACE COVERINGS AND PRACTICE SOCIAL DISTANCING IN LIGHT OF THE CITY-DECLARED EMERGENCYS PERTAINING TO COVID-19.

WHEREAS, the City of Desert Hot Springs (“City”) is a charter city in the State of California; and

WHEREAS, the COVID-19 virus (“COVID-19”) has been declared by the United States, the State of California, and the County of Riverside (“County”) as a pandemic and an emergency situation; and

WHEREAS, on January 31, 2020, the United States Secretary of Health and Human Services declared a Public Health Emergency; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a state of emergency in the State of California due to the outbreak of COVID-19 within the State (“State of Emergency”); and

WHEREAS, on March 8, 2020, the Riverside County Public Health Officer Dr. Cameron Kaiser declared a public health emergency due to the spread of COVID-19; and

WHEREAS, California Emergency Services Act, Government Code sections 8558(c) and 8630 authorize the proclamation of a local emergency when conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a city exist; and

WHEREAS, on March 18, 2020, the City did in fact declare a state of local emergency; and

WHEREAS, in addition to applicable State law, Chapter 2.48 “Civil Emergencies” of the Desert Hot Springs Municipal Code (“DHSMC”), provides the rules and regulations for declaring and implementing civil emergencies; and

WHEREAS, pursuant to Chapter 2.48, the City hereby avails and in fact availed itself of any and all rights and remedies included therein; and

WHEREAS, because of COVID-19, the City must take measures to preserve and protect its visitors and residents; and

WHEREAS, it has been deemed that in order to curb the spread of COVID-19, face masks (coverings) and social distancing are an effective way to do so; and

WHEREAS, this Resolution is for the health, safety and welfare of our community.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS DOES RESOLVE, AS FOLLOWS:

Section 1. Recitals.

That the recitals set forth above are true and correct and are incorporated herein by this reference.

Section 2. Face Coverings.

All persons, including Essential Workers shall wear face coverings, such as scarves (dense fabric, without holes), bandanas, neck gaiter, or other fabric face coverings. Face coverings:

1. Must be worn by all persons while they are outside of their home while in the presence of others.
2. Must be worn by all persons while on, or waiting for, public transit, including ride sharing.
3. Are encouraged, but not required to be worn in personal vehicles.
4. Are encouraged, but not required by persons exercising outdoors, such as walking, hiking, or bicycling. However, people must comply with social distancing during these activities, including maintaining at least 6 feet of distance from other people.
5. Are not required to be worn by persons 2 years and under.
6. Are not required to be worn by persons with a health condition whose medical doctor has advised against wearing a face covering and can provide documentation.

All businesses shall require all persons including, patrons, employees, and invitees, to wear a face mask while at their business at all times.

Section 3. Social Distancing.

All persons are required to engage in "Social distancing."

Section 4. Severability.

That the City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 5. Repeal of Conflicting Provisions.

That all the provisions heretofore adopted by the City Council that conflict with the provisions of this Resolution are hereby repealed.

Section 6. Effective Date.

That this Resolution shall take effect immediately, and shall continue until repealed by the City Council.

Section 7. Certification.

That the City Clerk shall certify to the passage of this Resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a Regular meeting held on the 5th day of May, 2020, by the following vote:

AYES: 5 – Betts; Gardner; Griffith; Pye; and Mayor Matas.

NOES: None.

ABSENT: None.

ABSTAIN: None.

CITY OF DESERT HOT SPRINGS



Scott Matas (May 7, 2020)

Scott Matas, Mayor

ATTEST:



Jerryl Soriano (May 6, 2020)

Jerryl Soriano, City Clerk

APPROVED AS TO FORM:



Jennifer Mizrahi (May 6, 2020)

Jennifer Mizrahi, City Attorney

Resolution 2020-016 Face Masks and Social Distancing - COVID-19

Final Audit Report

2020-05-07

Created:	2020-05-07
By:	City Clerk (cityclerk@cityofdhs.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAAnIRAAJjz2ckOT0Jq5dKZV1ejlxE6A4-V

"Resolution 2020-016 Face Masks and Social Distancing - COVID-19" History

-  Document created by City Clerk (cityclerk@cityofdhs.org)
2020-05-07 - 0:06:18 AM GMT- IP address: 98.150.124.4
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2020-05-07 - 0:07:15 AM GMT
-  Document emailed to Jennifer Mizrahi (jennifer.mizrahi@streamkim.com) for signature
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2020-05-07 - 0:07:15 AM GMT
-  Email viewed by Jerryl Soriano (jsoriano@cityofdhs.org)
2020-05-07 - 0:07:40 AM GMT- IP address: 98.150.124.4
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Signature Date: 2020-05-07 - 0:09:34 AM GMT - Time Source: server- IP address: 98.150.124.4- Signature captured from device with phone number XXXXXXX4536
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2020-05-07 - 0:49:44 AM GMT- IP address: 47.44.201.122
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Signature Date: 2020-05-07 - 0:50:03 AM GMT - Time Source: server- IP address: 47.44.201.122
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2020-05-07 - 3:42:50 PM GMT- IP address: 76.167.50.107
-  Document e-signed by Scott Matas (smatas@cityofdhs.org)
Signature Date: 2020-05-07 - 3:43:38 PM GMT - Time Source: server- IP address: 76.167.50.107

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