

RANCHO CORDOVA LOCAL EMERGENCY ORDER 2

Pursuant to the Proclamation of a State of Emergency in California by Governor Gavin Newsom on March 4, 2020 as a result of the COVID-19 pandemic; the City of Rancho Cordova's Proclamation of the Existence of a Local Emergency on March 19th, 2020; the Statewide Public Health Officer Orders (including the July 13, 2020 Order); the applicable Orders of the Sacramento County Health Officer (including the Order dated July 14, 2020), and Government Code section 8634, I hereby issue the following Rancho Cordova Local Emergency Order:

1. This Local Emergency Order 2 ("Order") supersedes Local Emergency Order 1, in its entirety, which was issued on May 22, 2020.
2. All businesses that are authorized to operate outdoors under the Statewide Public Health Officer Order dated July 13, 2020 and Order of the Health Officer of the Sacramento County Health Office dated July 14, 2020, and such other authorized businesses as may later be amended, modified, or expanded by State or County Orders ("Allowed Outdoor Businesses"), may temporarily use certain City-owned public properties, or private properties, for outdoor operations, subject to the following requirements and restrictions:
 - A. All Allowed Outdoor Businesses desiring to use public or private property for outdoor operations shall submit an Outdoor Operations Permit application, on forms approved by the City, with photographs, drawings or depictions of the proposed location and layout, and shall obtain a temporary, no-cost permit from the City, which permit may be granted or denied in the City's sole discretion.
 - B. All Allowed Outdoor Businesses shall follow all applicable COVID-19 Industry Guidance as published by the California Department of Public Health and CAL-OSHA.
 - C. The use of outdoor property shall not interfere with vehicular and pedestrian traffic, or access under all applicable accessibility laws, including the Americans with Disabilities Act.
 - D. No permanent item, fixture, or structure shall be installed anywhere in association with outdoor operations permitted under this Order.
 - E. All forms of speaker amplification associated with outdoor operations permitted under this Order shall be prohibited.
 - F. If temporary fencing is installed, it shall not exceed three (3) feet tall and be placed in a safe manner around the outdoor service area.
 - G. A minimum four (4' 0") foot wide path of travel shall be provided and maintained along all pedestrian walkways from the public right-of-way and/or parking lot to all public building entrances. No outdoor use may obstruct this required pedestrian clearance in any manner, regardless of the width of the sidewalk.
 - H. Unless hours of operation are expressly extended or restricted by the permit, hours of operation for outdoor operations shall coincide with the hours of operation for the corresponding business with which the outdoor use is granted.
 - I. These Allowed Outdoor Businesses shall comply with all applicable State and County laws, orders, and regulations pertaining to the services (including, but not limited to county and state health orders regarding masks and social distancing) under this provision.

- J. The provisions in the Rancho Cordova Municipal Code limiting temporary signage

are suspended during the pendency of this local emergency for such signs associated with outdoor operations permitted under this Order, provided that such signs do not block, impede or otherwise interfere with the public rights-of-way and the safe travel of vehicles and pedestrians, including access under the Americans with Disabilities Act.

K. The City reserves the right to determine additional criterion or standards in furtherance of the suitability and appropriateness of outdoor operations as requested by the business.

3. No real property right is provided, given, or otherwise conveyed to any person or entity using public property for the purpose of providing authorized outdoor operations. Any such use permitted hereunder shall cease not later than termination of the City's local emergency, and the permittee shall return public property to the condition existing at the time of permit issuance. The City reserves the right, in its sole discretion during the pendency of the City local emergency, to terminate or extend any use permit issued hereunder, with or without cause. Upon termination of any use permit granted hereunder, the permittee shall return City-owned public property to the condition existing at the time of permit issuance.

4. Where private property is proposed to be used, property owner written consent is required. Where public property is proposed to be used, the applicant must provide proof of insurance and express indemnification in a form approved by the City Attorney and/or Risk Manager.

5. Where public property is proposed to be used, City reserves the right to require an encroachment permit or other applicable use permit.

6. The Applicant and/or subject property shall have no pending or unresolved Rancho Cordova Municipal Code violations. The City reserves the right to immediately suspend or revoke the Outdoor Operations Permit upon issuance of a Notice of Violation and/or Notice and Order.

7. Failure of any person to comply with this Order and any order issued by a law enforcement officer pursuant to this Order constitutes an imminent threat to public health.

8. This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the City of Rancho Cordova, its departments, officers, public officials, employees, or any other person.

9. If any provision of this Order to the application thereof to any person or circumstances 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.

10. This Order is made in order to further the protection of life, health, and safety of the public and shall be filed in the City Clerk's Office and given widespread publicity and notice as is reasonably practicable.

11. Unless otherwise rescinded or modified, this Order shall remain in effect until such time that the local emergency declared by the City has ceased, or this Order is otherwise amended, superseded, or rescinded.

Dated: July 23, 2020



By: Cyrus Abhar, City Manager
City of Rancho Cordova