

RESOLUTION NO. 20-067

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, RATIFYING THAT CERTAIN "ORDER OF THE CARSON DISASTER COUNCIL, CITY OF CARSON, CALIFORNIA, IMPLEMENTING RESOLUTION NO. 20-053 AND MUNICIPAL CODE, ARTICLE III, CHAPTER 7, §§ 3700 ET SEQ., FINDING, DETERMINING AND ORDERING THAT ALL RESIDENTS OR VISITORS WITHIN THE GEOGRAPHIC BOUNDARIES OF THE CITY OF CARSON SHALL NOT LEAVE THEIR PLACES OF DOMICILE OR RESIDENCE, EXCEPT TO ENGAGE IN ESSENTIAL SERVICES, WITHOUT WEARING A FACE MASK OR COVERING WHICH SHALL COVER THE NOSE AND MOUTH OF THE WEARER, AND MAKING A VIOLATION OF SAME ENFORCEABLE BY CITY AUTHORITIES THROUGH ALL ENFORCEMENT PROVISIONS WITHIN THE CARSON MUNICIPAL CODE, AND SUBJECT TO A ONE THOUSAND DOLLAR FINE," ISSUED APRIL 2, 2020

WHEREAS, on March 17, 2020, the Carson City Council through Resolution No. 20-053 proclaimed the existence of a local emergency in response to COVID-19; and

WHEREAS, the Governor, the State Public Health Officer, the Los Angeles County Emergency Services Director, the Los Angeles County Board of Supervisors, and the Los Angeles County Health Officer have promulgated and issued, and will reasonably continue to promulgate and issue, various orders, rules and regulations concerning the COVID-19 state of emergency that are applicable within the jurisdiction of the City of Carson ("Orders"), pursuant to State and County law, including but not limited to the California Emergency Services Act (Gov. Code §§ 8550 *et seq.*) and the California Public Health & Safety Code §§ 101029, 120155, 120275, 120295; and

WHEREAS, in a short period of time, COVID-19 has rapidly spread throughout California, the County of Los Angeles, and the City of Carson, necessitating stringent public health emergency orders as well as guidance from federal, state and local authorities; and

WHEREAS, the COVID-19 pandemic continues to spread rapidly within California, the County of Los Angeles, and the City of Carson, continues to present an immediate and significant risk to public health and safety, and can result in serious illness or death, especially to vulnerable populations, including the elderly and those with underlying health conditions; and

WHEREAS, heightened levels of public health and safety planning and preparedness have been necessitated in preparation for and response to confirmed cases of COVID-19 in the County of Los Angeles, and rapid response not lending itself to otherwise applicable notice and approval timelines has been and will be necessary to respond to the rapidly evolving pandemic

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and to mitigate against the spread of COVID-19 and its resulting public health and safety impacts; and

WHEREAS, in the absence of such actions, County wide health services may become overwhelmed and unable to keep up with medical demand for care and availability of hospital or care facility capacity; and

WHEREAS, the health, safety and welfare of City of Carson (“City”) residents, businesses, visitors and staff are of utmost importance to the City; and

WHEREAS, Government Code § 8634 provides in part: “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.”; and

WHEREAS, CMC § 3705(A)(6) provides, in relevant part: “the Director, or in the Director’s absence, the Assistant Director or other person so designated . . . is hereby empowered: (i) 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, after consideration of all facts reasonably available, the Carson Disaster Council determined to issue an order to expressly provide mandate the use of face masks or coverings by residents and those who visit within the jurisdiction of the City, and to make the same enforceable within City jurisdiction.

NOW THEREFORE, the CITY COUNCIL of the CITY OF CARSON, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE and ORDER AS FOLLOWS:

Section 1. That certain order of the Carson Disaster Council, dated on or about April 2, 2020, and entitled “AN ORDER OF THE CARSON DISASTER COUNCIL, CITY OF CARSON, CALIFORNIA, IMPLEMENTING RESOLUTION NO. 20-053 AND MUNICIPAL CODE, ARTICLE III, CHAPTER 7, §§ 3700 ET SEQ., FINDING, DETERMINING AND ORDERING THAT ALL RESIDENTS OR VISITORS WITHIN THE GEOGRAPHIC BOUNDARIES OF THE CITY OF CARSON SHALL NOT LEAVE THEIR PLACES OF DOMICILE OR RESIDENCE, EXCEPT TO ENGAGE IN ESSENTIAL SERVICES, WITHOUT WEARING A FACE MASK OR COVERING WHICH SHALL COVER THE NOSE AND MOUTH OF THE WEARER, AND MAKING A VIOLATION OF SAME ENFORCEABLE BY CITY AUTHORITIES THROUGH ALL ENFORCEMENT PROVISIONS WITHIN THE CARSON MUNICIPAL CODE, AND SUBJECT TO A ONE THOUSAND DOLLAR FINE,” is hereby ratified in its entirety as if it had been adopted by this City Council in the first instance.

Section 2. The same is attached hereto as Exhibit “A,” and incorporated herein by this reference as if set forth in full herein.

Section 3. The City Clerk shall certify to the passage and adoption of this resolution.

PASSED, APPROVED, and ADOPTED this 7th day of April, 2020.

Mayor Albert Robles

ATTESTED:

DONESIA GAUSE-ALDANA, City Clerk

APPROVED AS TO FORM:

SUNNY K. SOLTANI, City Attorney