



Legislation Details (With Text)

File #: 21-0055 **Version:** 2 **Name:** CA - ORD/Temporary Enforcement of COVID Health Orders

Type: Emergency Ordinance **Status:** Adopted

File created: 1/11/2021 **In control:** City Council

On agenda: 1/19/2021 **Final action:** 2/2/2021

Title: Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsections 8.120.010.D, 8.120.020.B, and 8.120.040; and amending and restating Section 8.120.030; all relating to temporary enforcement of Long Beach Health Orders related to COVID-19; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read. (Citywide) (Emergency Ordinance No. ORD-21-0003)

Sponsors: City Attorney

Indexes:

Code sections:

Attachments: 1. 011921-ORD-25sr&att Revised.pdf, 2. 020221-ORD-23att.pdf, 3. ORD-21-0003 (EMERG).pdf, 4. ORD-21-0003 (FINAL).pdf

Date	Ver.	Action By	Action	Result
2/2/2021	2	City Council	approve recommendation and adopt	Pass
1/19/2021	1	City Council	approve recommendation to declare Emergency Ordinance No. ORD- , read, and adopted as read and laid over to the next regular meeting of the City Council for final reading	Pass
1/19/2021	1	City Council	approve recommendation to declare an emergency to exist	Pass

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsections 8.120.010.D, 8.120.020.B, and 8.120.040; and amending and restating Section 8.120.030; all relating to temporary enforcement of Long Beach Health Orders related to COVID-19; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read. (Citywide) (Emergency Ordinance No. ORD-21-0003)

In an effort to mitigate the effects of COVID-19 within the City, the Long Beach Health Officer issued Health Orders to control the spread and mitigate the effects of COVID-19, including but not limited to, the "Safer at Home Order for Control of COVID-19", isolation orders, quarantine orders, and testing orders (collectively "Health Orders") and has revised such Health Orders from time to time as necessary for the public health and safety during this ongoing emergency.

The Ordinance initially adopted by Council was set to expire on November 6, 2020 and was amended to expire on January 20, 2021 unless the City Council takes further action. Due to the uncertainty of the pandemic, the proposed Ordinance extends the expiration of the Ordinance One Hundred Eighty (180) days from the effective date of the last amendment of

Chapter 8.120 (July 18, 2021), unless further extended by the City Council in its discretion by an amendment to the Ordinance.

This Ordinance requires, where practicable, the City Manager to bring City Health Orders related to COVID-19 before the City Council for confirmation prior to promulgating such Health Orders. In the event it is not feasible to do this, the City Manager is required to, within 14 days of promulgation of said Health Orders, request the City Council to confirm the Health Orders. The proposed Ordinance amends this requirement to allow the City Manager to request the City Council to confirm the Health Orders either within 14 days or at the next duly noticed public meeting of the City Council. Since City Council meetings do not always occur within 14 days of the promulgation of a Health Order, this amendment ensures the City Manager's promulgation of a Health Order is confirmed by the City Council at the next practicable opportunity.

To address establishments that continue to violate City Health Orders after being provided ample opportunity to comply with City Health Order and where citations and other enforcement efforts by the City have been unsuccessful, the proposed Ordinance allows the City discontinue municipal utility service to those establishments operating in violation of City Health Orders or Chapter 8.120 to protect the public health.

This process recognizes a potential need for the City's Health Officer to quickly amend or update, and the City Manager to promulgate, City Health Orders due to the rapid development of COVID-19, while still ensuring that the City Council maintains oversight of the COVID-19 local emergency and the City Manager's related orders.

Approve recommendation.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING SUBSECTIONS 8.120.010.D, 8.120.020.B, AND 8.120.040; AND AMENDING AND RESTATING SECTION 8.120.030; ALL RELATING TO TEMPORARY ENFORCEMENT OF LONG BEACH HEALTH ORDERS RELATED TO COVID-19; DECLARING THE URGENCY THEREOF; AND DECLARING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

CHARLES PARKIN
CITY ATTORNEY

BY:

TAYLOR M. ANDERSON
DEPUTY CITY ATTORNEY