

RESOLUTION NUMBER 5669

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, ORDERING THAT ALL PERSONS WITHIN THE GEOGRAPHIC BOUNDARIES OF THE CITY OF PERRIS SHALL WEAR FACE COVERINGS AS PROVIDED IN THIS RESOLUTION; ORDERING THAT ALL PERSONS WITHIN THE GEOGRAPHIC BOUNDARIES OF THE CITY OF PERRIS SHALL COMPLY WITH THE SOCIAL DISTANCING REQUIREMENTS OF THIS RESOLUTION; AND AUTHORIZING THE DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER TO ESTABLISH RELATED RULES AND REGULATIONS PURSUANT TO PERRIS MUNICIPAL CODE § 2.44.060.

WHEREAS, in December, 2019, an outbreak of respiratory illness due to a novel coronavirus (COVID-19) was first identified in Wuhan City, Hubei Province, China; and

WHEREAS, the Center for Disease Control and Prevention (“CDC”) considers COVID-19 to be a very serious public health threat with outcomes ranging from very mild (including some with no reported symptoms) to severe, including illness resulting in death; and

WHEREAS, according to the CDC, there is no vaccine to prevent COVID-19 and there is no specific antiviral treatment recommended for COVID-19 at this time; and

WHEREAS, on January 30, 2020, the World Health Organization declared a Public Health Emergency of International Concern over the global spread of COVID-19; and

WHEREAS, on January 31, 2020, Health and Human Services declared a Public Health Emergency for the United States to aid the nation’s healthcare community in responding to COVID-19; and

WHEREAS, the California Department of Public Health (“CDPH”) has activated its Medical and Health Coordination Center, and the Office of Emergency Services recently activated the State Operations Center to provide support and guide actions to preserve public health; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a State of Emergency for the State of California, which also waived the 60-day requirement that the City renew its declaration of local emergency under Government Code § 8630; and

WHEREAS, on March 11, 2020, the World Health Organization characterized COVID-19 as a “pandemic”; and

WHEREAS, on March 12, 2020, Governor Newsom issued Executive Order N-25-20 regarding COVID-19; and

WHEREAS, on March 13, 2020, President Trump declared a National State of Emergency in response to increased spread of COVID-19; and

WHEREAS, on March 14, 2020, Governor Newsom issued Executive Order N-25-20 which ordered that “[a]ll residents are to heed any orders and guidance of state and local public health officials, including, but not limited to, the imposition of social distancing measures, to control the spread of COVID-19”; and

WHEREAS, on March 16, 2020, the Health Officer of the County of Riverside issued an order cancelling all gatherings with an expected attendance of greater than 10 due to COVID-19; and

WHEREAS, on March 16, 2020, Governor Newsom issued Executive Order N-28-20 regarding COVID-19; and

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order N-33-20 requiring all Californians to shelter in place in response to COVID-19; and

WHEREAS, on March 31, 2020, by its Resolution No. 5644 the City Council ratified the Director of Emergency Services’ declaration of local emergency; and

WHEREAS, on April 20, 2020, the Health Officer of the County of Riverside issued amended orders requiring the wearing of face coverings and social distancing; and

WHEREAS, on April 29, 2020, the Health Officer of the County of Riverside issued an amended orders requiring the wearing of face coverings and imposition of social distancing requirements; and

WHEREAS, in addition to the above, the Governor, the State Public Health Officer, the Riverside County Health Officer, the Riverside County Board of Supervisors, and other public health officials have promulgated and issued, and will reasonably continue to promulgate and issue, various orders, rules and regulations concerning COVID-19 that are applicable within the jurisdiction of the City of Perris (“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, as of May 6, 2020, there are over 1,000,000 confirmed cases of COVID-19 in the United States and over 68,000 deaths due to COVID-19 in the United States; and

WHEREAS, as of May 6, 2020, there are over 4,000 confirmed cases of COVID-19 in Riverside County and over 180 deaths; and

WHEREAS, as of May 12, 2020, there are currently 236 confirmed cases of COVID-19 in the City of Perris and 4 deaths; 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 Riverside, and rapid response not lending itself to otherwise applicable notice and approval timelines has been an will be necessary to respond to the rapidly evolving COVID-19 pandemic 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 the City of Perris (“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 the 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, this Resolution is adopted pursuant to the authority provided in Government Code § 8634 and Chapter 2.44 of the Perris Municipal Code; and

WHEREAS, after consideration of all facts reasonably available, the City Council determines to adopt this Resolution for the purpose of expressly requiring the use of face coverings by persons within the geographic boundaries of the City, expressly requiring compliance with social distancing requirements within the geographic boundaries of the City as provided in this Resolution, and authorizing the Director of Emergency Services/City Manager to establish related rules and regulations pursuant to Perris Municipal Code § 2.44.060.

NOW, THEREFORE, THE PERRIS CITY COUNCIL HEREBY RESOLVES, AS FOLLOWS:

SECTION 1. Recitals.

The Recitals set forth above are incorporated herein by this reference. The Recitals referenced herein are adopted as though set forth fully herein as findings in support of this Resolution.

SECTION 2. Face Coverings.

a. Upon entering, and until leaving, the geographic boundaries of the City of Perris or upon leaving, and until return to, their domicile or place of residence within such boundaries, all persons, including Essential Workers shall 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. All face coverings shall, at the minimum, cover the nose and mouth of a wearer such that inhalation and exhalation occurs through the face covering.

For the purposes of this Resolution, “Essential Workers” shall mean those workers employed in businesses needed to maintain continuity of operations of sectors designated in the document available at: <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf> as updated by the State Public Health Officer.

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

- (1) Waiting in line to go inside a store.
- (2) Shopping at a store.
- (3) Picking up food at a restaurant.
- (4) On public transportation (or waiting for it).
- (5) In a taxi or rideshare vehicle.
- (6) Seeking healthcare.
- (7) Going into facilities allowed to stay open.
- (8) Working as an Essential Worker that interacts with the public.
- (9) Children 2 years and older should be encouraged to wear a mask when around others closer than 6 feet and be supervised by an adult.
- (10) Governmental facilities, such as Perris City Hall.

c. Face coverings are NOT required to be worn by persons who are:

- (1) At their domicile or place of residence.
- (2) In a car alone or with members of their own household.
- (3) Children under the age of 2 years old due to the risk of suffocation.
- (4) Engaging in exercise activities, such as walking, hiking, bicycling, or running. However, such persons 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.
- (5) Persons with a health condition whose medical doctor has advised against wearing a face covering and can provide documentation.

d. Businesses must:

- (1) Require their employees, contractors, owners, and volunteers to wear a face covering at the workplace and when performing work off-site.
- (2) Inform customers about the need to wear a face covering, including posting signs and advising those in line or in the store.
- (3) Take reasonable steps to keep people who are not wearing a face covering from entering their business.

- (4) Refuse service to anyone not wearing a face covering.

SECTION 3. Social Distancing.

Upon entering, and until leaving, the geographic boundaries of the City of Perris or upon leaving, and until return to, their domicile or place of residence within such boundaries, all persons are required to engage in “social distancing” by maintaining at least six-foot separation from all persons except for household members and medical providers with the appropriate PPE. All businesses that are open shall comply with this social distancing requirement in addition to any applicable guidelines published by the CDC and CDPH.

SECTION 4. Administrative Rules & Regulations.

Pursuant to Section 2.44.060(6)(a) of the Perris Municipal Code, the Director of Emergency Services/City Manager is authorized to make and issue rules and regulations on matters reasonably related to this Resolution, provided that such rules and regulations must be later confirmed at the earliest practicable time by the City Council.

SECTION 5. Enforcement.

This Resolution shall be enforced pursuant to Section 2.44.100 of the Perris Municipal Code.

SECTION 6. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Resolution, or the application thereof to any person or circumstances, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the application of any other section, subsection, sentence, clause, phrase, or portion of this Resolution, and to this end the invalid or unconstitutional section, subsection, sentence, clause, phrase of this ordinance are declared to be severable. The Perris City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

SECTION 7. Effective Date.

This Resolution shall take effect immediately upon its adoption.

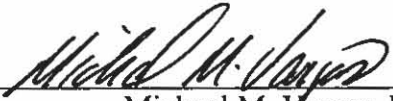
SECTION 8. Termination.

This Resolution shall terminate upon the termination of local emergency as ratified by the City Council in its Resolution No. 5644.

SECTION 9. Certification.

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

PASSED, APPROVED and ADOPTED this 12th day of May, 2020.



Michael M. Vargas, Mayor

ATTEST:



Nancy Salazar, City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, City Clerk of the City of Perris hereby certify that the above Resolution Number 5669 was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on May 12, 2020 and that it was so adopted by the following vote:

AYES: ROGERS, MAGAÑA, CORONA, RABB, VARGAS
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE



Nancy Salazar, City Clerk