

1 **CITY OF RIVERSIDE**
2 **STATE OF CALIFORNIA**
3 **REVISED ORDER OF THE DIRECTOR OF EMERGENCY SERVICES**
4 **OUTDOOR DINING, SERVICE USES AND RETAIL**
5 **DUE TO DECEMBER REGIONAL AT HOME ORDER**

6 WHEREAS, on March 4, 2020, the California Governor Gavin Newsom (“Governor”)
7 declared a State of Emergency due to the threat of the novel Coronavirus (COVID-19), which
8 orders in part that “all residents are to heed the advice of emergency officials with regard to this
9 emergency in order to protect their safety”; and

10 WHEREAS, on March 8, 2020, the Riverside County Public Health Officer declared a
11 local health emergency based on the imminent threat to public health from COVID-19 in Riverside
12 County; and

13 WHEREAS, on March 10, 2020, the County of Riverside proclaimed a local emergency;
14 and

15 WHEREAS, on March 12, 2020, the Governor issued Executive Order N-25-20 which
16 orders in part that “[a]ll residents are to heed any orders and guidance of state and local public
17 health officials, including but not limited to the imposition of social distancing measures, to control
18 the spread of COVID-19”; and

19 WHEREAS, on March 13, 2020, the President of the United States of America declared a
20 national emergency and announced that the federal government would make emergency funding
21 available to assist state and local governments in preventing the spread of and addressing the
22 effects of COVID-19; and

23 WHEREAS, the California Emergency Services Act (Government Code § 8550, et seq.)
24 empowers the City Council of the City of Riverside to declare a Local Emergency when there
25 exists conditions of disaster or of extreme peril to the safety of persons and property within the
26 territorial limits of the City of Riverside (“City”) which are or are likely to be beyond the control
27 of the services, personnel, equipment, and facilities of the City; and

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1 WHEREAS, on March 13, 2020, the Director of Emergency Services of the City,
2 proclaimed a Local Emergency and said proclamation was ratified by the City Council on March
3 17, 2020; and

4 WHEREAS, Government Code section 8634 empowers the City, during a Local
5 Emergency, to promulgate orders and regulations necessary to provide for the protection of life
6 and property; and

7 WHEREAS, Riverside Municipal Code section 9.20.050 empowers the Director of
8 Emergency Services, during a Local Emergency to among other things, make and issue rules and
9 regulations on matters reasonably related to the protection of life and property as affected by such
10 emergency; and

11 WHEREAS, due to the need to continue to protect the public against COVID-19, but also
12 working with the local businesses during these times, the City of Riverside identified the need for
13 flexible, creative and innovative approaches to assist local restaurants, retail, gyms and fitness
14 centers, places of worship, offices for non-critical infrastructure sectors, personal care services
15 (including nail salons, massage parlors, and tattoo parlors), hair salons and barbershops, and malls;
16 and

17 WHEREAS, in order to meet the needs as described above, on May 26, 2020, the Director
18 of Emergency Services issued the initial Order regarding Temporary Outdoor Flex Space, which
19 Order has had several amendments due to the ever changing times and circumstances, the last time
20 being November 20, 2020, (the original Temporary Outdoor Flex Space Order and the several
21 amendments will be referred to collectively as “Temporary Outdoor Flex Space Orders”); and

22 WHEREAS, the Temporary Outdoor Flex Space Orders have all been ratified by the City
23 Council; and

24 WHEREAS, on December 3, 2020, Governor Newsom announced a Regional Stay at
25 Home Order which will be triggered when Intensive Care Unit (ICU) capacity drops below 15%
26 in any designated Region, with the City of Riverside being located in the Southern California
27 Region; and

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WHEREAS, once the Regional Stay at Home Order is triggered for the Southern California Region, changes will be required regarding outdoor spaces to ensure that the latest guidelines are being adhered to as the uses continue to operate and the Temporary Outdoor Flex Space Orders and Guidelines; and

WHEREAS, all businesses MUST continue to adhere to public safety and physical distancing requirements established by the Federal, State and County.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED by the Director of Emergency Services of the City of Riverside that upon the triggering of the Regional Stay at Home Order for Southern California the Temporary Outdoor Flex-Space Permit Program is suspended, with the exception of places of worship, gyms and other uses deemed by the State of California as essential during the Regional Stay at Home Order, which are allowed on private land as Category 1 or Category 2 on private land or as Category 5 in City Parks, as set forth in the revised Program attached hereto as Exhibit "A" and incorporated herein by reference, until such time as the Regional Stay at Home Order is lifted.

FURTHER, this order, or portions thereof, are automatically suspended on the effective date and time of any subsequent orders by the State or County that supersede the authorities granted herein.

Dated: Dec 17, 2020


Al Zelinka (Dec 17, 2020 19:25 PST)
Director of Emergency Services
City of Riverside

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EXHIBIT "A"






2020-12-16 Order - Program Suspension - CLEAN

Final Audit Report

2020-12-18

Created:	2020-12-18
By:	janderson@riversideca.gov janderson@riversideca.gov (janderson@riversideca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAMibX_gUofZv1bOJKpQpKYThaZH_jDXM

"2020-12-16 Order - Program Suspension - CLEAN" History

-  Document created by janderson@riversideca.gov janderson@riversideca.gov (janderson@riversideca.gov)
2020-12-18 - 1:51:10 AM GMT- IP address: 192.248.248.55
-  Document emailed to Al Zelinka (azelinka@riversideca.gov) for signature
2020-12-18 - 1:51:28 AM GMT
-  Email viewed by Al Zelinka (azelinka@riversideca.gov)
2020-12-18 - 3:24:55 AM GMT- IP address: 76.91.160.177
-  Document e-signed by Al Zelinka (azelinka@riversideca.gov)
Signature Date: 2020-12-18 - 3:25:22 AM GMT - Time Source: server- IP address: 76.91.160.177
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