



UTILITY SHUT-OFF AUTHORITY FOR BUSINESSES NOT COMPLYING WITH EMERGENCY ORDERS

City Manager's Office
Riverside Police Department

City Council Meeting
May 5, 2020

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BACKGROUND

Executive Order N-33-20 ordered Californians to stay home or at their place of residence, except as needed to maintain continuity of operation of the federal critical infrastructure sectors.

While essential services may remain open, non-essential services must remain closed.



EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

EXECUTIVE ORDER N-33-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS in a short period of time, COVID-19 has rapidly spread throughout California, necessitating updated and more stringent guidance from federal, state, and local public health officials; and

WHEREAS for the preservation of public health and safety throughout the entire State of California, I find it necessary for all Californians to heed the State public health directives from the Department of Public Health;

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8547, 8607, and 8608, do hereby issue the following Order to become effective immediately.

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BACKGROUND

Currently, non-essential businesses that remain open are contacted by the Riverside Police Department.

For those businesses that do not comply, the matter is referred to the City Attorney's Office for further handling.



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DISCUSSION

An additional enforcement tool for non-compliant businesses would be for the City Council to adopt a resolution authorizing the City Manager's Office to direct Riverside Public Utilities to shut off water and/or electric utility services to noncompliant businesses operating in violation of Stay At Home orders subject to the following requirements:

1. The business is deemed a non-essential business operating within the City of Riverside; and
2. The business is deemed to be not complying with orders to cease operations relating to COVID-19 issued by the Governor and the County Public Health Officer; and



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DISCUSSION (Cont'd)

3. The City Manager may, after engagement with and a written warning issued to a noncompliant business, direct in writing Riverside Public Utilities to shut off water and/or electric utility services.
4. Upon receiving such a written referral, Riverside Public Utilities is directed to shut off water and/or electric utility services to the noncompliant business.



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WHEN UTILIZED

Warnings and Efforts to Informally Resolve Will be taken Beforehand.

Utilities would not be shut-off until:

1. After Riverside Police Department engagement with non-essential business.
2. After a written warning has been issued.
3. After City Attorney's Office engagement with non-essential business.
4. After City Manager's Office assessment.



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WHEN UTILIZED

This Resolution would only apply to businesses that receive water and/or electric utility services from Riverside Public Utilities, and not customers who receive electric service from Southern California Edison or water service from Western Municipal Water District or Eastern Municipal Water District.



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RECOMMENDATIONS

That the City Council:

1. Adopt a resolution authorizing the City Manager's Office to direct Riverside Public Utilities to shut off water and/or electric utility services to noncompliant businesses operating in violation of Stay At Home orders subject to the following requirements:
 - a. The business is deemed a non-essential business operating within the City of Riverside;
 - b. The business is deemed to be not complying with orders to cease operations relating to COVID-19 issued by the Governor and the County Public Health Officer;
 - c. The City Manager, or designee, may, after engagement with and a written warning issued to a noncompliant business, direct in writing Riverside Public Utilities to shut off water and/or electric utility services pursuant to this Resolution; and
 - d. Upon receiving such a written referral, Riverside Public Utilities is directed to shut off water and/or electric utility services to the noncompliant business operating in violation of this Resolution and to not restore such utility service unless directed to do so in writing by the City Manager's Office.



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