



***RESOLUTION TO IMPLEMENT LOCAL ADMINISTRATIVE ENFORCEMENT PROVISIONS FOR EMERGENCY MEASURES DESIGNED TO PREVENT THE SPREAD OF COVID-19***

City Manager's Office

City Council  
November 17, 2020

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1

## **BACKGROUND**

1. March 4, 2020, Governor declared a state of emergency as a result of threat of COVID-19
2. March 8, 2020, Riverside County Public Health declared a local emergency and ratified the order on March 10, 2020
3. March 13, 2020, President declared COVID-19 pandemic a national emergency
4. March 13, 2020, City of Riverside deaclared a local emergency and City Council ratified on March 17, 2020



2

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2

## BACKGROUND

August 28, 2020, Governor released "Blueprint for a Safer Economy"

1. Four-tiered, color-coded system
2. Tracks Counties based on
  - A. Number of COVID-19 cases recorded each day
  - B. Percentage of positive cases out of the total number of tests
  - C. Effective August 31, 2020
  - D. Replaced previous "county monitoring list"



3

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3

## BACKGROUND

1. September 30, 2020, CDPH release new health equity metric effective October 6, 2020 impacting counties ability to move between tiers
2. November 2, 2020, Riverside County remains in purple or Widespread Risk Level tier of the State Blueprint for a Safer Economy
3. City Continues to closely monitor COVID-19 related developments



4

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4

## DISCUSSION

1. City recognizes the impact of pandemic on residents, businesses, and organizations and places priority on education first to achieve compliance
2. Government Code Section 8665 authorizes misdemeanor criminal enforcement for noncompliance with of State Orders
3. City supports a non misdemeanor enforcement option by way of Administrative Code Enforcement remedies



5

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5

## DISCUSSION

1. Failing to abide by public health directives is unsafe and dangerous in this unprecedented time of worldwide pandemic
2. Applicable requirements are found in the state orders, and not City orders
3. Resolution is designed to adopt state orders to address the small but relevant number of businesses and activities that are conducted partly or entirely in a manner that disregards public health orders adopted in response to the COVID-19 pandemic



6

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6

## DISCUSSION

Upon adoption, the Resolution allows the City to:

1. Enforce, by way of Administrative Code Enforcement Remedies in Riverside Municipal Code Chapter 1.17, all Emergency Executive Orders issued by the City Manager/Director of Emergency Services and Resolutions adopted by the City Council in response to the local state of emergency.
2. Adopt as orders of the City and enforce, by way of Administrative Code Enforcement Remedies in Riverside Municipal Code Chapter 1.17, all state and county executive orders and guidance of state and local public health officials to control the spread of COVID-19.



7

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7

## DISCUSSION

1. City enforcement officers with authority to initiate Administrative Code Enforcement remedies include, but are not limited to, employees or agents in code enforcement, fire prevention, parking services, and the police department.
2. Administrative fine amounts are \$100 for the first offense, \$200 for the second offense and \$500 for the third offense as currently outlined in the Riverside Municipal Code.
3. Upon adoption of the Resolution, provisions will be effective immediately with no further readings.



8

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8

## ALTERNATIVE/ADDITIONAL OPTIONS

1. Increase existing administrative citation amounts to a higher level. Examples are outlined in the chart below:

City	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense	4 <sup>th</sup> Offense
Riverside	\$100	\$200	\$500	N/A
Glendale	\$400	\$1,000	\$2,000	N/A
West Hollywood	\$250	\$1,000	\$2,000	\$5,000



9

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9

## ALTERNATIVE/ADDITIONAL OPTIONS

2. 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; and
  - 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; and
  - C. The City Manager, or his or her 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.
  - 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.



10

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10

## ALTERNATIVE/ADDITIONAL OPTIONS

3. Research the ability to revise the municipal code to authorize issuance of daily administrative civil penalties for violations of the State Orders put in place to combat the current public health pandemic.



11

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11

## RECOMMENDATIONS

That the City Council adopt a Resolution to implement local administrative enforcement provisions for emergency measures designed to prevent the spread of COVID-19.



12

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12