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Public Order Under City of Culver City Emergency Authority

Issue Date: March 16, 2020

Subject: New City Measures to Address COVID-19

On March 14, 2020, I issued a Proclamation of Local Emergency in relation to the arrival of the COVID-19 virus in our community, and over the past week, I have ordered a number of additional measures to be taken across the City to protect members of the public and City workers from an undue risk of contracting the COVID-19 virus. Our precautions over the past weeks and what we do over the next few days and weeks will determine how well we weather this emergency.

On March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic. The Centers for Disease Control and Prevention advises us that COVID-19 spreads easily from person to person and has issued guidelines recommending that the public adopt policies and routines to enable social distancing wherever possible.

Here in the City of Culver City, we must redouble our efforts to maintain hand hygiene, respiratory etiquette, and social distancing. It is absolutely critical that we as a City do everything we can to slow the pace of community spread and avoid unnecessary strain on our medical system. To aid in our efforts, under the emergency authorities vested in my office, as the Director of Emergency Services, under Culver City Municipal Code Chapter 3.09, today I am ordering that a series of temporary restrictions be placed on certain establishments throughout our City in which large numbers of people tend to gather and remain in close proximity. By virtue of authority vested in me as the Director of Emergency Services pursuant to the provisions of Culver City Municipal Code Section 3.09.020.B.1.h(2), to make and issue rules and regulations on matters reasonably related to the protection of persons, property and the environment as affected by such emergency, I hereby declare the following orders to be necessary for the protection of life and property and I hereby order, effective at 11:59 p.m. tonight, March 16, 2020 until March 31, 2020 at 11:59 p.m., that:

1. All bars, lounges and nightclubs in the City of Culver City that do not serve food shall be closed to the public.
2. Any bars, lounges or nightclubs in the City of Culver City that serve food may remain open only for purposes of continuing to prepare and offer food to customers via delivery service or to be picked up. Dine-in food service is prohibited.

3. All restaurants and retail food facilities in the City of Culver City shall be prohibited from serving food for consumption on premises. Restaurants and retail food facilities may continue to operate for purposes of preparing and offering food to customers via delivery service, to be picked up or for drive-thru. For those establishments offering food pick-up options, proprietors are directed to establish social distancing practices for those patrons in the queue for pick-up.
4. The following are exempt from this Order:
 - A. Cafeterias, commissaries, and restaurants located within hospitals, nursing homes, or similar facilities
 - B. Grocery stores
 - C. Pharmacies
 - D. Food banks
5. Trucks and other vehicles engaged in the delivery of grocery items to grocery stores, when such items are to be made available for sale to the public, are hereby exempt from having to comply with any City rules and regulations that limit the hours for such deliveries.
6. All movie theaters, live performance venues, bowling alleys and arcades shall be closed to the public.
7. All gyms, fitness centers, and art, dance, music studio and the like, cultural venues and facilities, and indoor recreational facilities and uses except as otherwise provided herein, shall be closed to the public.

Any violation of the above prohibitions may be enforced under the Culver City Municipal Code, which provides for fines not to exceed \$1,000 or imprisonment not to exceed six months. Each individual officer should use their discretion in enforcing this order and always keep the intent of the order in mind.

In addition, I hereby issue guidance to the leaders of the City's houses of worship and urge them, in the strongest possible terms, to limit gatherings on their premises and to explore and implement ways to practice their respective faiths while observing social distancing practices.

Finally, I hereby order that no landlord shall evict a residential tenant in the City of Culver City during this local emergency period if the tenant is able to show an inability to pay rent due to circumstances related to the COVID-19 pandemic. These circumstances include loss of income due to a COVID-19 related workplace closure, child care expenditures due to school closures, health care expenses related to being ill with COVID-19 or expenses or loss of income due to caring for a member of the tenant's household who is ill with COVID-19, or reasonable expenditures that stem from government-ordered emergency measures. Nothing in this subsection shall be construed to mean that the tenant will not still be obligated to pay lawfully charged rent as provided below. Tenants will have up to

six months following the expiration of the local emergency period to repay any back due rent. Tenants may use the protections afforded in this subsection as an affirmative defense in an unlawful detainer action. The moratorium on evictions imposed by this subsection shall remain in effect during the pendency of the local emergency period, but will not apply in cases where eviction is necessary to address an imminent and objectively verifiable threat to the health and safety of a member of tenant's household or other residents of the rental property, or to the landlord or landlord's employees.

This order may be extended prior to March 31, 2020.

Date: 3/16/2020



John M. Nachbar, City Manager
Director of Emergency Services
City of Culver City

