

ORDINANCE NO. 21-O- 2840

AN URGENCY ORDINANCE OF THE CITY OF BEVERLY HILLS REPEALING CERTAIN EMERGENCY REGULATIONS RELATED TO THE COVID-19 EMERGENCY AND DECLARING THE URGENCY THEREOF

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS HEREBY ORDAINS AS FOLLOWS:

WHEREAS, international, national, state, and local health and governmental authorities have responded to an outbreak of respiratory disease caused by a novel coronavirus named "SARSCoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, on March 15, 2020, the City Manager, in his role as the Director of Emergency Services, proclaimed the existence of a local emergency pursuant to Section 2-4-107 of the Beverly Hills Municipal Code to ensure the availability of mutual aid and an effective City response to the novel coronavirus ("COVID-19") and that state of emergency was ratified by the City Council on March 16, 2020; and

WHEREAS, the City of Beverly Hills did redouble its efforts to maintain hand hygiene, respiratory etiquette, and social distancing. It was absolutely critical that the City did everything possible to slow the pace of community spread and avoid unnecessary strain on our medical system. To aid in these efforts, the City Council ordered a series of temporary restrictions be placed on certain establishments throughout the City in which large numbers of people tend to gather and remain in close proximity; and

WHEREAS, it was in the interest of public peace, health and safety for the City Council to exercise its authority to slow the spread of COVID-19 in Beverly Hills and to issue regulations related to the protection of the public peace, health or safety; and

WHEREAS, after more than a year of such regulations being in place, and with the proliferation of vaccine availability and with the decreasing rate of spread of the COVID-19 virus, the State of California has repealed many of its regulations that were enacted to slow the spread of the virus; and

WHEREAS, the City of Beverly Hills believes that it would further the public health, safety, or peace if the City of Beverly Hills repealed certain of its emergency regulations that addressed the spread of the COVID-19 virus so that individuals would not be confused by differences between the State laws and local laws and thereby inadvertently violate local laws;

NOW THEREFORE, the City Council of the City of Beverly Hills does ordains as follows:

Section 1. The following sections of Beverly Hills Ordinance Number 20-O-2818 are hereby repealed:

- (a) Section 3.a regarding a prohibition on self-service unwrapped food items; and
- (b) Section 3.f regarding the suspension of the prohibition against using non-recyclable bags; and
- (c) Section 5 regarding a prohibition on the increase in Internet access fees; and
- (d) Section 6 requiring social distancing for patrons waiting in queues and special health and safety measures for employees and customers, including but not limited to appropriate gloves and masks.

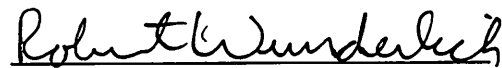
Section 2. Severability. If any provision of this Ordinance is held invalid by a court of competent jurisdiction, such provision shall be considered a separate, distinct and independent provision and such holding shall not affect the validity and enforceability of the other provisions of this Ordinance.

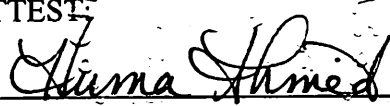
Section 3. Publication. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the city within fifteen (15) days after its passage in accordance with Section 36933 of the Government Code, shall certify to the adoption of this Ordinance and shall cause this Ordinance and the City Clerk's certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this City.

Section 4. Effective Date. This Ordinance is adopted as an urgency ordinance for the immediate preservation of the public peace, health and safety within the meaning of Government Code Section 36937(b), and therefore shall be passed immediately upon its introduction and shall become effective at 12:01 a.m., June 25, 2021 upon its adoption by a minimum 4/5 vote of the City Council.

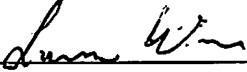
Section 5. Certification. The City Clerk shall certify to the adoption of this Ordinance.

Adopted: June 24, 2021
Effective: June 25, 2021


ROBERT WUNDERLICH
Mayor of the City of Beverly Hills,
California


ATTEST:
 (SEAL)
HUMA AHMED
City Clerk

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:



GEORGE CHAVEZ
City Manager