

JOHN M. NACHBAR
CITY MANAGER

CITY MANAGER'S OFFICE

CITY OF CULVER CITY

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

(310) 253-6000

FAX (310) 253-6010

**Twentieth Supplement to Public Order Under
City of Culver City Emergency Authority**

Issue Date: July 7, 2020

**Subject: COVID-19 Reopening Safer at Work and in the Community:
(1) Conditional Waiver of Transit Occupancy Tax ("TOT") Penalties
upon Payment of Past Due TOT within 30 days; and (2) Clarification of
Previous Orders Superseded by Los Angeles County Public Health
Order**

This Twentieth Supplement to Public Order is issued to address two issues: (1) a conditional waiver of outstanding penalties and interest related to transit occupancy taxes owed to the City; and (2) recent County of Los Angeles Orders closing certain businesses due to increases in COVID-19 cases in Los Angeles County, which supersede certain provisions in previous Culver City orders.

Waiver of Penalties Upon Payment of Past Due Transit Occupancy Tax Within 30 Days:

Under the provisions of Culver City Municipal Code (CCMC) Subchapter 11.02.100 *et seq.*, hotels and motels, and any lodging or dwelling occupied, intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, as defined by CCMC Subchapter 11.02 ("hotels and motels"), must pay to the City of Culver City ("City") a transient occupancy tax ("TOT") of 14% of the rent charged by the operator. This tax shall be collected by the operator and remitted to the City. During the course of the COVID-19 Local Emergency, hotels and motels subject to the City's TOT have experienced financial hardship and/or have temporarily closed for business due to Stay at Home and Safer at Home Orders issued by the State of California, the County of Los Angeles and Culver City. As a result, some hotel/motel operators have not remitted all TOT owed to the City and have accrued penalties and interest on the unpaid TOT.

Effective as of the date of this Order, and by virtue of authority vested in me as the Director of Emergency Services, pursuant to the provisions of CCMC 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, effective July 7, 2020, I hereby order the following:

1. Penalties and interest due to the City on any past due TOT will be waived, provided payment of all outstanding TOT is remitted to the City within 30 days from the date of this Order.

2. For those operators who have already paid their past due TOT, as of the date of this Order, all outstanding penalties and interest that have accrued between March 1, 2020 and July 7, 2020 is hereby waived.
3. This Order shall not apply to TOT remittals that are governed by a voluntary collection agreement with the City.

Previous Orders Superseded by the County of Los Angeles July 1, 2020 Public Health Order:

Over the past weeks, various business sectors and activities were permitted to reopen, subject to complying with Los Angeles County Public Health protocols for each activity or business sector. However, due to the increases in daily reported COVID-19 cases, hospitalizations, and the testing positivity rates, the June 28, 2020 and July 1, 2020 Revised County of Los Angeles Public Health Orders closed certain activities and business sectors, superseding previous reopening orders. Accordingly, in compliance with Section 7 of the July 1 County Revised Order, the following types of higher risk businesses, recreational sites, commercial properties, and activities, where more frequent and prolonged person-to-person contacts are likely to occur, shall close or continue to be closed:


- a. Lounges and nightclubs;
- b. Bars, breweries, tasting rooms, craft distilleries and wineries that possess a valid low risk restaurant public health permit issued by the County of Los Angeles;
- c. Brewpubs, craft distilleries and breweries and wineries, with premises set aside for beer and/or wine tasting that are exempt from the definition of a food facility by California Health and Safety Code Section 113789(c)(5) and do not hold a health permit for preparing and serving food on site;
- d. Public entertainment venues: movie theaters, live performance theaters, concert venues, theme parks and festivals;
- e. Family entertainment centers such as bowling alleys, arcades, miniature golf, and batting cages;
- f. All restaurants, but only for indoor, in-person onsite dining, until further notice;
- g. Cardrooms, satellite wagering facilities, and racetrack onsite wagering facilities, until further notice;
- h. Indoor and outdoor playgrounds for children, except those located within a school or childcare center;
- i. Indoor portions and exhibits of museums, zoos and aquariums, are closed to the public until further notice;
- j. Hot tubs, steam rooms, and saunas not located on a residential property;
- k. All events and gatherings, unless specifically permitted under the July 1, 2020 Public Health Order.

4. Food court dining and seating areas located in indoor malls or indoor shopping centers must close until further notice. Restaurants located within an indoor mall or shopping center may offer food for delivery, carry out, and outdoor table dining only.
5. This Twentieth Supplement to Public Order supersedes any provision in a previous Order where there is a conflict between the Orders; otherwise all Stay at Home orders remain in place. Except as specifically provided herein, or in previous orders, public and private gatherings of any number of people occurring outside of a single household or living unit continue to be prohibited.
6. Additional social distancing, infection control, and health and safety measures and guidelines may be imposed at any time, in my sole discretion, in order to ensure the protection of the public's health and safety, and the intent of each and every Public Order is carried out.

Any violation of this Twentieth Supplement to Public Order may be enforced under the CCMC, 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.

This Twentieth Supplement to Public Order shall be effective immediately and shall remain in effect until superseded, amended, modified or rescinded.

Date: 7/7/2020



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

