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**Twenty-Third Supplement to Public Order Under
City of Culver City Emergency Authority**

Issue Date: August 13, 2020

**Subject: Temporary Use of City Parks for Outdoor Operation of Gyms and
Fitness Establishments**

On March 14, 2020, the City Manager, as Director of Emergency Services, issued a Proclamation of Local Emergency, due to the outbreak and spread of the Coronavirus Respiratory Disease (COVID-19), which was ratified by the City Council on March 18, 2020 by Resolution No. 2020-R015. Such action followed the Los Angeles County Department of Public Health's and the Chair of the Board of Supervisor's declarations of a local health emergency and the State of California's declaration of a State of Emergency on March 4, 2020, and the President's declaration of a National Emergency on March 13, 2020.

Beginning on March 16, 2020, the City Manager issued a number of public orders closing many businesses and significantly restricting the operations of others, consistent with various supplemental orders that were issued by the State of California and the Los Angeles County Department of Public Health, as well as a number of neighboring communities, including the City of Los Angeles.

Beginning in the early part of May 2020, the County of Los Angeles announced its Roadmap to Recovery, A Phased Approach to Reopening Safely, which allowed certain businesses and activities to slowly reopen and resume, subject to strict public health protocols. Although this phased reopening allowed some businesses to open many others remained closed.

In late June and early July, 2020, due to increases in the daily reported COVID-19 cases, hospitalizations, and the testing positivity rates, the Los Angeles County Public Health Officer issued revised orders, in alignment with the California Governor's announcements, requiring the closure of specific activities and business sectors, superseding previous orders (which had allowed many businesses to reopen), to address the serious regression of COVID-19 indicators within Los Angeles County. Such closures of certain higher risk businesses, recreational sites, commercial properties, and activities, where more frequent and prolonged person-to-person contacts are likely to occur, superseded any previous openings permitted in Culver City.

Among the businesses that had reopened, but were required to once again close, are gyms and fitness establishments. However, on July 13, 2020 the County Public Health Officer Revised the Reopening Protocol for Gyms and Fitness Establishments: Appendix L, to allow the reopening of those businesses only if their operations were moved outdoors and reiterating that no indoor facilities may be open to the public until further notice.

On August 10, 2020, the City Council discussed the temporary use of designated City outdoor park space for gyms and fitness establishments (including fitness camps) and directed the City Manager and Parks, Recreation and Community Services (PRCS) Director to allow such use, giving priority to long-standing Culver City businesses, allowing for equitable use of space and ensuring space is available for the Culver City Unified School District if needed. City Council also directed that reduced fees be charged, but that such fees should cover PRCS staff costs. City Council further emphasized the importance that park renters comply with all COVID-19 public health protocols.

Consistent with the City Council's August 10, 2020 direction, to allow certain Culver City businesses and activities to resume outdoors and safely re-open as the County permits, 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, I hereby order:

1. Notwithstanding any provisions of the Culver City Municipal Code to the contrary, in order to accommodate gyms and fitness establishments outdoor operations, subject to the PRCS Director's approval, gyms and fitness establishments may temporarily use designated Culver City outdoor park space to conduct classes, training sessions, camps, and the like, subject to obtaining a temporary park use permit and compliance with all State of California Public Health Orders and guidance, industry guidance, local laws and regulations, and the most recent version of the required Los Angeles County Department of Public Health Protocol for Gyms and Fitness Establishments (Appendix L), which can be accessed at: <http://publichealth.lacounty.gov/media/Coronavirus>.
2. In order to effectuate this Public Order, the PRCS Director shall have the authority and discretion to: (a) establish procedures, standards, conditions, rules and regulations, as he may deem appropriate, to implement the processing and approval of such temporary park use permits, while ensuring compliance with the Americans with Disabilities Act (ADA), and any other measures deemed necessary to protect the public health, safety and welfare; (b) designate and limit park space for such activities as deemed appropriate; and (c) establish permit fees, subject to approval of the City Manager, in an amount to cover PRCS staff costs in processing, monitoring and enforcing such park use and permit compliance.
3. This Twenty-Third 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, public and private gatherings of any number of people occurring outside of a single household or living unit continue to be prohibited.

4. 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 Twenty-Third 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 Twenty-Third Supplement to Public Order shall be effective immediately and shall remain in effect until superseded, amended, modified or rescinded.

Date: 8/13/2020



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

