

PUBLIC ORDER NO. 2020-7

PUBLIC ORDER NO. 2020-7 OF THE CITY MANAGER UNDER CITY OF TORRANCE'S EMERGENCY AUTHORITY REQUIRING FACE COVERINGS FOR WORKERS AT FOOD SERVICE FACILITIES AND THE PUBLIC ENTERING FOOD SERVICE FACILITIES

WHEREAS, Government Code Section 8634 empowers the City Council and delegated officials to promulgate orders and regulations necessary to provide for protection of life or property during a local emergency; and;

WHEREAS, the City Council has specifically delegated this authority to the City Manager as Director of Emergency Services in Chapter 6 of Division 1 of the Torrance Municipal Code. Further, the City Council confirmed this delegation of authority by Resolution on March 16, 2020; and

WHEREAS, this order is issued in accordance with, and incorporates by reference the March 19, 2020, Executive Order issued by Governor Newsom, Order N-33-20 wherein the Governor ordered all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors, as outlined at <https://www.cisa.gov/identifying-critical-infrastructure-during-covid19>; and

WHEREAS, this order is issued in accordance with, and incorporates by reference the March 13, 2020, Proclamation and Order of the President of the United States declaring a national emergency in response to COVID-19; and

WHEREAS, this order is issued in accordance with, and incorporates by reference the March 12, 2020 Proclamation by the City Manager proclaiming a local emergency as a result of the threat of COVID-19, which said Proclamation and order was ratified by the City Council on March 17, 2020; and

WHEREAS, this order is issued in accordance with, and incorporates by reference the March 4, 2020, Executive Order issued by Governor Newsom, Order N-25-20 wherein the Governor proclaimed a State of Emergency in California as a result of the threat of COVID-19; and

WHEREAS, the World Health Organization and the Centers for Disease Control and Prevention recommend guidelines to maintain hand hygiene, respiratory etiquette, and social distancing to protect public health and slow the transmission of COVID-19; and

WHEREAS, the California Department of Public Health has issued guidance to postpone or cancel all gatherings across the State of California to protect public health and slow the rate of transmission of COVID-19. Gathering is defined as any event that brings together people together in a single room or single space at the same time; and

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WHEREAS, the California Department of Health states that the timely implementation of aggressive strategies that create social distance and those that reduce close contact of people not regularly together, including limiting gatherings, has proven effective in prior pandemics at delaying rates of transmission and reducing illness and death; and

WHEREAS, this order is issued in accordance with, and incorporates by reference the Health Officer of the Los Angeles County Department of Public Health's Order of March 16, 2020. The Order states that in the absence of a specific immunization or treatment for COVID-19, social distancing is the only and most readily available tool to prevent this disease; and

WHEREAS, this order is issued in accordance with, and incorporates by reference the Health Officer of the Los Angeles County Department of Public Health's Safer at Home Order for Control of COVID-19 of March 21, 2020 which amended and supplemented the March 16, 2020 and March 19, 2020 orders; and

WHEREAS, this order is issued in accordance with, and incorporates by reference the Health Officer of Los Angeles County Department of Public Health's Home Isolation Order (issued March 25, 2020) and Home Quarantine Order (issued March 25, 2020); and

WHEREAS, it is necessary and appropriate to requiring the wearing of face coverings by workers in food service facilities and by members of the public entering food service facilities to slow the transmission of COVID-19, so that workers, residents and visitors in Torrance remain safe and secure; and

WHEREAS, the best community and individual defense against COVID-19 is to wash our hands frequently, avoid touching our eyes, nose and mouth with unwashed hands, avoid being around sick people and practicing physical distancing, especially by staying at home. Face coverings are not a replacement for these evidence-based strategies for slowing the spread of COVID-19; they are just an additional tool that can protect others from possible exposure to respiratory droplets that may come from our mouth when we talk, sneeze, or cough.

By virtue of the authority vested in me as City Manager of the City of Torrance pursuant to the provisions of California Government Code 8634, the City Charter, Torrance Municipal Code 16.2.6, the laws and the Constitution of the State of California to promulgate, issue, and enforce rules, regulations, orders, and directives, I hereby declare the following orders to be necessary for the protection of life and property, effective at 12:01 a.m. on April 11, 2020. **IT IS HEREBY ORDERED** that:

1. All persons that work or volunteer at a food service facility must wear face coverings while performing their work.
2. All members of the public that enter a food service facility must wear face coverings while inside a food service facility.

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3. For the purposes of this Public Order, a food service facility includes the following businesses or services: grocery stores, water retailers, supermarkets, convenience stores, warehouse stores, food banks, certified farmers markets, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet food and medication supply, fresh and frozen meats, fish, and poultry, fresh or frozen meats, fish, and poultry, any other household consumer products (such as cleaning and personal care products). Additionally, food service facility includes restaurants and retail food facilities that prepare and offer food to customers via delivery service, take out, or drive through. Further, it includes individuals and businesses that ship or deliver groceries, food, beverages, or goods directly residences or businesses.
4. Face covering means a fabric or cloth covering that fully covers the mouth and the tip and nostrils of the nose. Face coverings are not medical-grade masks or Personal Protective Equipment (PPE), such as N95 masks and surgical masks. Workers and members of the public are discouraged from using PPE, such as N95 masks, for **non-medical reasons**. Examples acceptable, reusable face coverings include: bandana, neck gaiter, scarf (dense fabric without holes), tightly woven fabric such as cotton t-shirts and some towels, or other fabric face coverings.
5. All owners, operators, or employers of food service facilities must provide, at their expense, facial coverings for their employees or volunteers. All facial coverings must be maintained in a clean and sanitary manner. All reusable face coverings must be washed with detergent and hot water and dried on a hot cycle at least once a day for the health and safety of the workers and others. Single-use face coverings must be properly discarded into trash receptacles. Reusable face coverings should be discarded when they:
 - a. no longer cover the nose and mouth,
 - b. have stretched out or have damaged ties or straps
 - c. cannot stay on the face
 - d. have holes or tears in the fabric
6. All food service facility owners, operators, or employers must ensure that their employees or volunteers have access to clean, sanitary restrooms, stocked with all necessary cleansing products or sanitizing agents required to observe hand sanitation protocols recommended by the Los Angeles County Department of Public Health, provided at the owner, operator, or employers expense.
7. No worker or volunteer in a food service facility may work or volunteer in a food facility with symptoms of COVID-19 (such as fever, cough, and shortness of breath). Any food service facility worker or volunteer who has had symptoms of COVID-19 will not return to work until they have been free of a fever for at least 72 hours without medication and at least 7 days have elapsed since the onset of symptoms.
8. The Director of Emergency Services recommends that food service facility owners, operators, or employers actively screen all workers or volunteers,

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including those from outside services (such as HVAC, plumbing, or electrical contractors) for COVID-19 symptoms upon each individual's arrival at the food facility. Individuals who exhibit symptoms consistent with COVID-19 will immediately excluded from the facility.

IT IS FURTHER ORDERED that violation of this Order shall be punished as provided by Torrance Municipal Code Section 16.2.13, California Government Code Section 8665, or any applicable state or municipal law. The violation of any provision of this Order is declared to be a nuisance and may be abated by the City in accordance with its authority to abate nuisances. The remedies listed in this Order are not exclusive of any other remedies available to the City under any applicable Federal, State, or local law and it is within the discretion of the City to seek cumulative remedies.

IT IS FURTHER ORDERED this Order shall apply Citywide until rescinded by the City Council or City Manager.

DATE: 9 April 2020


LeRoy J. Jackson
City Manager and Director
of Emergency Services

TIME: 1:44 pm.