

CITY OF SANTA BARBARA
DIRECTOR OF EMERGENCY SERVICES

SUPPLEMENTAL PROCLAMATION AND LOCAL
EMERGENCY ORDER REQUIRING THE USE OF FACE
MASKS IN CERTAIN ESSENTIAL BUSINESSES AND
TEMPORARILY SUSPENDING THE \$0.10 CHARGE FOR
BUSINESS-PROVIDED REUSABLE OR RECYCLABLE
PAPER CARRYOUT BAGS PURSUANT TO SBMC
SECTION 9.150.040 AND EXECUTIVE ORDER N-54-20

April __, 2020

WHEREAS, Chapter 9.116 of the Santa Barbara Municipal Code empowers the City Administrator of the City of Santa Barbara, acting in his capacity as the Director of Emergency Services, to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session; and

WHEREAS, on March 17, 2020, the City Council adopted Resolution No. 20-021 to ratify and proclaim the existence of a local emergency as a result of conditions of extreme peril to the safety or persons and property within the City caused by a novel coronavirus, COVID-19, which causes infectious disease and was first detected in Wuhan City, Hubei Province, China in December 2019; and

WHEREAS, Section 7 of Resolution No. 20-021 authorized the Director of Emergency Services/City Administrator to adopt supplemental proclamations and orders which are necessary to respond to the local emergency, provided that actions which would otherwise require Council approval shall be reported to the Council at the next regularly scheduled City Council meeting; and

WHEREAS, the Director of Emergency Services/City Administrator has determined that supplemental orders are needed to assure mandatory use of face masks by workers and customers in certain essential businesses; and

WHEREAS, the Director of Emergency Services/City Administrator has determined that supplemental orders are needed to suspend the \$0.10 charge for business-provided reusable or recyclable paper carryout bags pursuant to SBMC Section 9.150.040 and Executive Order N-54-20.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED AS FOLLOWS:

1. Face Masks Required for Workers and Customers of Certain Essential Businesses.

A. All workers and customers shall wear a face mask while present at one of the essential businesses identified in Section 1.E. (hereafter called “covered businesses”.) Face masks need not be medical-grade or N95 certified, and may include cloth masks, scarves, bandanas or other face coverings over the mouth and nose of a person. Reusable face masks used by covered business workers must be washed and sanitized at least daily.

B. A covered business shall prohibit the entry of each person who is not wearing a face mask.

C. A covered business shall provide face masks without charge for the use of its workers. A covered business may provide without charge, or sell, face masks to customers.

D. This order does not expand the definition of essential business. This order regulates the functioning of existing essential business that are also covered businesses.

E. Covered business means the following:

i. Pharmacies;

ii. Grocery stores, farm and produce stands, 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, water, pet food and pet medication supply (but not grooming or training), fresh or frozen meats, fish, and poultry, or any other household consumer products (such as construction supplies, cleaning and personal care products);

ii. Organizations and businesses that provide food or other services to the public;

iii. Hardware and building supply stores, and nurseries;

iv. Laundromats, dry cleaners, and laundry service providers;

v. Restaurants and retail food facilities that prepare and offer food to customers via pick up or drive-through;

vi. Taxis, ride sharing services, car rental companies, and other private transportation services; and

vii. Hotels and motels, in publicly-accessible areas.

F. Violations of this Order shall be punishable as a misdemeanor as provided in SBMC Section 9.116.110, or as otherwise provided by law.

2. Temporary Suspension of the \$0.10 Charge for Business-Provided Reusable or Recyclable Paper Carryout Bags Pursuant to SBMC Section 9.150.040.

A. SBMC Section 9.150.040 is suspended for the duration of the emergency declared by the City Council in Resolution No. 20-021 on March 17, 2020.

B. A store as defined in SBMC Section 9.150.010 may waive, rebate or reimburse the \$0.10 customer bag charge.

City of Santa Barbara

Paul Casey
City Administrator and
Director of Emergency Services

Date and Time

Approved as to Form

Ariel Pierre Calonne
City Attorney