

**City of Garden Grove**

**INTER-DEPARTMENT MEMORANDUM**

To: Scott C. Stiles From: Omar Sandoval  
Dept.: City Manager Dept.: City Attorney  
Subject: City Council Review and Confirmation of Date: 5/26/2020  
Temporary Outdoor Dining Permit  
Order. (*Action Item*)

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**OBJECTIVE**

For the City Council to review and confirm its approval of the third Executive Order of the Director of Emergency Services temporarily suspending the limitations of the Municipal Code relating to outdoor dining.

**BACKGROUND**

Following Governor Newsom's declaration of a State of Emergency due to the spread of the novel coronavirus, COVID-19 on March 4, 2020 and President Trump's declaration of a national emergency on March 13, 2020, the City Manager acting as the Director of Emergency Services ("Director") proclaimed a local emergency effective on March 17, 2020 and issued various orders related to the local emergency. The City Council adopted a resolution ratifying the local emergency on March 24, 2020, and ratified the local orders. On May 12, 2020, the City Council reviewed and confirmed the necessity to continue the local emergency and confirmed the Director's orders extending the local emergency.

**DISCUSSION**

On May 7, 2020, Governor Newsom issued updated industry guidance and a Resilience Roadmap with 4 stages to help drive reopening for some economic sectors in the State – including retail, manufacturing and logistics – with modifications, beginning Friday, May 8. The guidance provides for regional variances to allow for counties to move further into broader reopening of various sectors when the counties attest to meeting certain criteria.

As of May 20, 2020 the County of Orange was preparing to apply for a variance to allow restaurants and eateries to reopen dine-in services with various restrictions, including social distancing. In order to prepare for the reopening of dine-in services of restaurants and eateries, the Director issued the attached third Executive Order temporarily suspending the limitations of the Garden Grove Municipal Code to facilitate the implementation of a temporary outdoor dining permit issued at the discretion of the City's Department of Economic and Community Development Department to enable restaurants and eateries to expand their business footprint adjacent to their place of business onto the parking facilities and public right-of-way to enable social distancing while serving the community, subject to applicable State and County Health Department guidelines.

**FINANCIAL IMPACT**

None.

**RECOMMENDATION**

It is recommended that the City Council:

- Review and confirm its approval of the third Executive Order of the Director of Emergency Services temporarily suspending the limitations of the Municipal Code relating to outdoor dining.

**ATTACHMENTS:**

Description	Upload Date	Type	File Name
<a href="#">Third Local Emergency Executive Order</a>	5/20/2020	Backup Material	Third_Local_Emergency_Executive_Order.docx



**CITY OF GARDEN GROVE**  
**DIRECTOR OF EMERGENCY SERVICES**  
**EXECUTIVE ORDER NO. 3**

May 21, 2020

Whereas, on February 26, 2020 the County of Orange declared a local emergency and a local health emergency due to the spread of the novel coronavirus, COVID-19. On March 4, 2020, California Governor Gavin Newsom declared a State of Emergency in California due to COVID-19. On March 13, 2020, United State President Donald J. Trump declared a national emergency due to COVID-19; and

Whereas, on March 16, 2020 effective at 12:01 a.m. on March 17, 2020 the Garden Grove Director of Emergency Services did proclaim the existence of a local emergency due to COVID-19; and

Whereas, on March 24, 2020 the Garden Grove City Council ratified the proclamation of the local emergency in the City due to COVID-19 and confirmed the imposition of the various local orders applicable in the City during the existence of the local emergency.

Whereas on May 7, 2020 Governor Newsom issued updated industry guidance and a Resilience Roadmap with 4 stages to help drive reopening for some economic sectors in the State – including retail, manufacturing and logistics – with modifications, beginning Friday, May 8; the guidance provides for regional variances to allow for counties to move further into broader reopening of various sectors when the counties attest to meeting certain criteria.

Whereas, on May 12, 2020, the Garden Grove City Council reviewed and confirmed the necessity to continue the local emergency and confirmed the Director Emergency Services' orders related thereto.


NOW, THEREFORE, I, Scott C. Stiles, City Manager of the City of Garden Grove, acting as the Director of Emergency Services do hereby issue the following order to become effective immediately:

1. The limitations of the Garden Grove Municipal Code applicable to outdoor dining are hereby temporarily suspended to facilitate the implementation of a temporary outdoor dining permit issued at the discretion of the City's Department of Economic and Community Development Department to enable restaurants and eateries to expand their business footprint adjacent to their place of business onto the parking facilities and public right-of-way to enable social distancing while serving the community, subject to applicable State and County Health Department guidelines.



2. This order shall expire upon the expiration of the local emergency or at the time when the State authorizes restaurants and eateries to continue dine-in services without restrictions, whichever comes first.

Executed this 21<sup>st</sup> day of May 2020.

  
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Scott C. Stiles  
Director of Emergency Services and  
City Manager

Attest:

  
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Teresa Pomeroy  
City Clerk