

**ORDER OF THE CITY COUNCIL
OF THE CITY OF RANCHO MIRAGE**

**EXTENDED
FACE COVERINGS ORDER**

**EXTENDED BY RANCHO MIRAGE CITY COUNCIL
THROUGH MAY 6, 2021**

April 1, 2021

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named “SARS-CoV-2,” and the disease it causes has been named “Coronavirus Disease 2019,” abbreviated COVID-19 (“COVID-19”); and

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and

WHEREAS, on March 7, 2020, Riverside County Public Health Officer Dr. Cameron Kaiser declared a Local Health Emergency, citing Riverside County’s first locally acquired case of COVID-19; and

WHEREAS, on March 10, 2020, the Riverside County Board of Supervisors ratified the Local Health Emergency and activated the Medical Health Department Operations Center to better coordinate public messaging and planning among community partners as Riverside County officials prepare for the spread of COVID-19; and

WHEREAS, on March 11, 2020, the California Department of Public Health issued guidance that in order to protect public health and slow the rate of transmission of COVID-19, large gatherings of 250 people or more at concerts, conferences, and professional, college, and school sporting events should be postponed or canceled for at least the remainder of the month of March 2020 and that smaller gatherings held in venues such as crowded auditoriums, rooms or other venues that do not allow social distancing of six feet per person should be postponed or canceled; and

WHEREAS, on March 12, 2020, the Governor of the State of California issued Executive Order N-25-20 providing that all residents are to heed any orders and guidance of state and local public health officials, including but not limited to the imposition of social distancing measures, to control the spread of COVID-19 and that authorized local legislative bodies are permitted to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative body, during the period in which local public officials impose or recommend measures to promote social distancing, including but not limited to limitations on public events; and

WHEREAS, on March 13, 2020, the President of the United States of America proclaimed

and declared a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak and announced that the federal government would make emergency funding available to assist state and local governments in preventing the spread of and addressing the effects of COVID-19; and

WHEREAS, on March 16, 2020, the Governor issued Executive Order N-28-20 waiving certain requirements related to residential and commercial evictions and foreclosures to allow local jurisdictions more flexibility to prohibit residential and commercial evictions and foreclosures through May 31, 2020; and

WHEREAS, on March 16, 2020, the Riverside County Public Health Officer ordered the prohibition of all gatherings within the jurisdiction of the Public Health Officer of the County of Riverside with an expected presence of at least 10 individuals taking place, regardless of venue; and

WHEREAS, Rancho Mirage Municipal Code Chapter 2.52 “Disaster Operations and Relief” defines a “State of Emergency” to mean the duly proclaimed existence of actual or threatened conditions of disaster or of extreme peril to the safety of persons and property within the City of Rancho Mirage caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, earthquake, or other conditions, including conditions resulting from war or imminent threat of war, which conditions are, or are likely to be, beyond the control of the services, personnel, equipment and facilities of the city, requiring combined forces of other political subdivisions to combat; and

WHEREAS, Rancho Mirage Municipal Code Chapter 2.52 further provides that a “State of Emergency” may be declared for good and sufficient reason by the City Manager, if the City Council is not in session, subject to the City Council subsequently taking action to ratify the proclamation within seven days thereafter or the proclamation shall have no further force or effect; and

WHEREAS, on March 16, 2020, pursuant to Rancho Mirage Municipal Code Chapter 2.52, the City Manager, issued a “Proclamation of the Existence of a Local State of Emergency” for the purpose of assisting in a coordinated public health response to reduce transmission and illness severity, provide assistance to health care providers, coordinate and mitigate public services that may be disrupted from this emergency, and mitigate any other negative impacts of this emergency on the citizens of the City of Rancho Mirage.; and

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-33-20 ordering that to protect public health, that all individuals living in the State of California stay home or at their place of residence (“Shelter in Place”) except as needed to maintain continuity of operations of the federal critical infrastructure sectors, as outlined at <https://www.cisa.gov/critical-infrastructure-sectors>; and

WHEREAS, on March 19, 2020, the Rancho Mirage City Council adopted a resolution ratifying the Proclamation of the Existence of a Local State of Emergency issued by the City Manager on March 16, 2020 and the findings, determinations and conclusions set forth therein, and directed and authorized the City Manager and designee and other appropriate staff members and City officials to take all necessary and appropriate actions to effectuate the purpose of the

Proclamation of the Existence of a Local State of Emergency, subject to any modifications as may be approved by the City Council from time to time during the State of Emergency; and

WHEREAS, pursuant to Rancho Mirage Municipal Code Chapter 2.52, during a State of Emergency affecting the City, the City Manager or designee shall, to the extent he or she deems necessary, have complete authority over all departments of the City and the right to exercise, within the area designated, all police powers vested in the City by the Constitution and laws of the State of California in order to effectuate the purpose Chapter 2.52; and

WHEREAS, Rancho Mirage Municipal Code Chapter 2.52 further provides that during a State of Emergency, the City Manager or designee is empowered to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by the State of Emergency; provided, however, that such rules and regulations must be confirmed at the earliest practicable time by the City Council and that during a State of Emergency, the City Manager or designee is empowered to execute all of his or her ordinary powers as City Manager, all of the special powers conferred upon the City Manager by Chapter 2.52 or by resolution or emergency plan adopted by the City Council and all powers conferred upon the City Manager by any statute, by any agreement approved by the City Council and by any other lawful authority; and

WHEREAS, effective May 1, 2020, the Riverside County Health Officer and the County Executive Officer as Director of Emergency Services, issued an amended order which discouraged the use of N95 masks for non-medical reasons, and required all persons including Essential Workers to wear face coverings such as scarves (dense fabric, without holes), bandanas, neck gaiter, or other fabric face coverings while in a public setting such as: (a) waiting in line to go inside a store; (b) shopping at a store; (c) picking up food at a restaurant; (d) on public transportation (or waiting for it); (e) in a taxi or rideshare vehicle; (f) seeking healthcare; (g) going into facilities allowed to stay open; (h) working an essential job that interacts with the public; and that children 2 years and older should be encouraged to wear a mask when around others closer than 6 feet, and when they do, they must be supervised by an adult; and

WHEREAS, the amended order provides that although face coverings are not required to be worn by people at home, in the car alone or with members of their own household, or outdoors while complying with social distancing guidelines, businesses must require face coverings at the work place, inform customers and post signs about the need to wear a face covering, and refuse entry and service to anyone not wearing a face covering; and

WHEREAS, on May 9, 2020, the Riverside County Public Health Officer ordered the rescission of the following amended health orders: (1) the April 2, 2020 amended order related to short term lodging facilities; (2) the April 29, 2020 amended order placing restrictions on golf courses; and (3) the April 29, 2020 amended order requiring the use of face coverings and practice of social distancing; and

WHEREAS, by rescinding its health orders, the County of Riverside aligned itself with the State's Orders as they now exist or may be issued or amended in the future; and

WHEREAS, on June 18, 2020, Governor Newsom ordered all Californians to wear face coverings while in public and/or high-risk settings, including when shopping, taking public transit or seeking medical care; and

WHEREAS, on November 16, 2020, the California Department of Public Health issued updated “Guidance for the Use of Face Coverings,” superseding its face coverings guidance released on June 18, 2020, mandating that a face covering is required at all times when outside of the home, with some exceptions; and

WHEREAS, on May 12, 2020, City Manager/Director of Emergency Services of the City of Rancho Mirage issued an order regarding required face coverings (the “Face Coverings Order”); and

WHEREAS, on May 21, 2020, the City Council ratified the May 12 Face Coverings Order; and

WHEREAS, on June 30, 2020, by order of the City Manager/Director of Emergency Services of the City of Rancho Mirage, the Face Coverings Order was extended through August 30, 2020; and

WHEREAS, on July 16, 2020, by order of the City Council of the City of Rancho Mirage, the Face Coverings Order was ratified and amended in part, extending the Face Coverings Order through September 3, 2020; and

WHEREAS, on September 3, 2020, by order of the City Council of the City of Rancho Mirage, the Face Coverings Order was extended through October 1, 2020; and

WHEREAS, on October 1, 2020, by order of the City Council of the City of Rancho Mirage, the Face Coverings Order was again extended through November 5, 2020; and

WHEREAS, on November 5, 2020, by order of the City Council of the City of Rancho Mirage, the Face Coverings Order was again extended through December 3, 2020; and

WHEREAS, on December 3, 2020, by order of the City Council of the City of Rancho Mirage, the Face Coverings Order was again extended through January 7, 2021, and amended to incorporate the California Department of Public Health November 18, 2020, “Guidance for the Use of Face Coverings,” attached hereto in Exhibit “A,” mandating that a face covering is required at all times when outside of the home, with some exceptions; and

WHEREAS, on January 7, 2021, by order of the City Council of the City of Rancho Mirage, the Face Coverings Order was again extended through February 4, 2021; and

WHEREAS, on February 4, 2021, by order of the City Council of Rancho Mirage, the Face Coverings Order was again extended through March 4, 2021; and

WHEREAS, on March 4, 2021, by order of the City Manager/Director of Emergency Services for the City of Rancho Mirage, the Face Coverings Order, as amended, was again extended through March 18, 2021; and

WHEREAS, on March 18, 2021, by order of the City Council of Rancho Mirage, the Face Coverings Order was ratified and extended through April 1, 2021; and

WHEREAS, in order to protect public health and slow the rate of transmission of COVID-19, the City Council again desires to further extend the Face Coverings Order, as amended, through May 6, 2021.

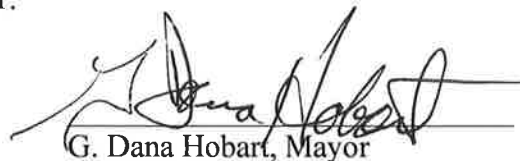
NOW, THEREFORE, the City Council of the City of Rancho Mirage, does hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED AS FOLLOWS:

THAT the Face Coverings Order, as amended, is hereby further extended through May 6, 2021, unless terminated earlier or extended by the City Manager/Director of Emergency Services or the City Council.

THAT in the event of any conflict between the terms of this April 1, 2021, Order and previously issued Face Coverings Orders, the terms of this Order shall be superseding, and all other remaining terms of the previously issued Face Coverings Order, as amended, shall remain unchanged, including without limitation any rights and remedies available to the City resulting from violation of the Face Coverings Order.

ADOPTED this 1st day of April 2021.



G. Dana Hobart, Mayor

ATTEST:



Kristie Ramos, City Clerk

APPROVED AS TO FORM:



For- Steven B. Quintanilla, City Attorney
Daniel Trevino, Deputy City Attorney

EXHIBIT "A"



Sandra Shewry
Acting Director
Erica S. Pan, MD, MPH
Acting State Health Officer



GAVIN NEWSOM
Governor

State of California—Health and Human Services Agency
California Department of Public Health

November 16, 2020

TO:

All Californians

SUBJECT:

Guidance for the Use of Face Coverings

Note: The following guidance supersedes face coverings guidance released on June 18, 2020. This updated guidance mandates that a face covering is required at all times when outside of the home, with some exceptions.

Background

The risk for COVID-19 exposure and infection remains and will continue to be in our midst for the foreseeable next several months. Since the start of the pandemic, we have learned a lot about COVID-19 transmission, most notably that there are a large proportion of people who are infected but are asymptomatic or pre-symptomatic, and they play an important part in community spread. The use of face coverings by everyone can limit the release of infected droplets when talking, coughing, sneezing, singing, exercising, shouting, or other forms of increased respiration, and they can also reinforce physical distancing by signaling the need to remain apart. In addition, [increasing evidence also demonstrates a cloth face covering or mask also offers some protection to the wearer](#), too.

The purpose of this guidance is to provide information about when face coverings are required. It mandates that face coverings be worn state-wide at all times when outside of the home, unless one or more of the exceptions outlined below apply. It does not substitute for existing guidance about physical distancing and hand hygiene.

Guidance

People in California must wear face coverings when they are outside of the home, unless one of the exemptions below applies.

Individuals are exempt from wearing face coverings in the following specific settings:

- Persons in a car alone or solely with members of their own household.
- Persons who are working in an office or in a room alone.
- Persons who are actively eating or drinking provided that they are able to maintain a distance of at least six feet away from persons who are not members of the same household or residence.
- Persons who are outdoors and maintaining at least 6 feet of social distancing from others not in their household. Such persons must have a face covering with them at all times and must put it on if they are within 6 feet of others who are not in their household.
- Persons who are obtaining a service involving the nose or face for which temporary removal of the face covering is necessary to perform the service.
- Workers who are required to wear respiratory protection.
- Persons who are specifically exempted from wearing face coverings by other CDPH guidance.

The following individuals are exempt from wearing face coverings at all times:

- Persons younger than two years old. These very young children must not wear a face covering because of the risk of suffocation.

- Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering. This includes persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance. Such conditions are rare.
- Persons who are hearing impaired, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication.
- Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines.

Note: Persons exempted from wearing a face covering due to a medical condition who are employed in a job involving regular contact with others must wear a non-restrictive alternative, such as a face shield with a drape on the bottom edge, as long as their condition permits it.

Additional Information

What is a cloth face covering?

A cloth face covering is a material that covers the nose and mouth. It can be secured to the head with ties or straps or simply wrapped around the lower face. It can be made of a variety of materials, such as cotton, silk, or linen. A cloth face covering may be factory-made or sewn by hand or can be improvised from household items such as scarfs, T-shirts, sweatshirts, or towels.

How should I choose and wear a cloth face covering?

You should select a face covering that covers your nose and mouth, goes under the chin, and does not have significant gaps around the nose or other parts of the face. Look for face coverings that have three layers, if possible, and are still easy to breathe through. Be sure that the ear loops or ties are tight enough to keep the face covering from sliding down the nose. Always wear your face covering over your nose and mouth, not under your nose or under your chin.

How well do cloth face coverings work to prevent spread of COVID-19?

There is increasing scientific evidence demonstrating that use of face masks or cloth face coverings by the public during this COVID-19 pandemic helps reduce disease transmission. Their primary role is to reduce the release of infectious particles into the air when someone speaks, coughs, or sneezes, including someone who has COVID-19 but feels well, as well as reduce exposure for the wearer. Cloth face coverings are not a substitute for physical distancing, washing hands, and staying home when ill or under quarantine, but they are additive when combined with these primary interventions.

When should I wear a cloth face covering?

You should wear face coverings whenever you are outside of your home, unless one of the exceptions described above applies to you. Individuals who have significant COVID-19 exposure outside of their home, such as in the workplace, should consider wearing a mask at home, especially if vulnerable individuals are part of their household.

How should I care for a cloth face covering?

It's a good idea to wash your cloth face covering frequently, ideally after each use, or at least daily. Have a bag or bin to keep cloth face coverings in until they can be laundered with detergent and hot water and dried on a hot cycle. If you must re-wear your cloth face covering before washing, wash your hands immediately after putting it back on and avoid touching your face. Discard cloth face coverings that:

- No longer cover the nose and mouth
- Have stretched out or damaged ties or straps
- Cannot stay on the face
- Have holes or tears in the fabric

For additional information and resources regarding masks and face coverings, including types of recommended and not recommended masks, see the [CDC Face Coverings Website](#).



California Department of Public Health

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Department Website (cdph.ca.gov)

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