

CITY OF SANTA ANA EXECUTIVE ORDER NO. 17-2021

EXECUTIVE ORDER NO. 17 OF THE DIRECTOR OF EMERGENCY SERVICES FOR THE CITY OF SANTA ANA RESCINDING EXECUTIVE ORDER NO. 14 REQUIRING THE USE OF FACE COVERINGS IN PUBLIC EFFECTIVE JUNE 15, 2021

SECTION 1. Findings.

- A. International, national, state, and local health and governmental authorities have been 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").
- B. On March 4, 2020, the Governor of the State of California declared 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.
- C. On March 13, 2020, the President of the United States of America declared a national emergency 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.
- D. The Orange County Board of Supervisors and Department of Public Health also declared a local emergency and local public health emergency to aid the regional healthcare and governmental community in responding to COVID-19.
- E. On March 17, 2020, the City Council proclaimed the existence of a local emergency to ensure the availability of mutual aid and support an effective City response to COVID-19.
- F. According to the Center for Disease Control and Prevention ("CDC"), masks or face coverings are recommended as a simple barrier to help prevent respiratory droplets from traveling into the air and onto other people when the person wearing the mask coughs, sneezes, talks or raises their voice. COVID-19 is spread through respirator droplets mainly among people who are in close contact (within 6 feet).
- G. The CDC advises that emerging evidence from clinical and laboratory studies show that masks reduce the spray of droplets when worn over the nose and mouth. The use of masks is particularly important in settings where people are close to each other (within 6 feet) or where social distancing is difficult to maintain.
- H. On June 18, 2020, the California Department of Public Health ("CDPH") issued "Guidance for the Use of Face Coverings" mandating the use of face coverings when individuals are in certain high risk situations.

- I. On September 8, 2020, the County of Orange Health Officer revised previous Orders and Strong Recommendations issued on July 1, 2020 and mandated, among other things that, all county residents and visitors shall wear face coverings in certain high risk situations as required by the “Guidance for the Use of Face Coverings” issued by the CDPH on June 18, 2020.
- J. On November 16, 2020, the CDPH issued updated guidance regarding the use of face coverings that superseded its guidance issued on June 18, 2020. The CDPH guidance required the use of a face coverings state-wide at all times when outside of the home unless one of the following exemptions applies:
- 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.
- K. As of the issuance of Executive Order No. 14, Orange County was in the Purple Widespread Tier according to the Governor’s Blue Print for a Safer Economy. At that time on December 2, 2020, Orange County had a total of 80,551 positive cases and 1,578 deaths due to COVID-19. The City of Santa Ana had the most positive COVID-19 cases in the County with a total of 15,609 and 331 deaths.
- L. On December 1, 2020, the Santa Ana City Council unanimously directed the City Manager to issue an Executive Order requiring the use of face coverings within the City of Santa Ana.
- M. On December 3, 2020 a further Statewide Regional Stay at Home Order was announced and a supplemental Order on December 6, 2020 (“Regional Stay at Home Order”). This Order was designed to become effective at 11:59 p.m. the day after a region was determined to have less than 15% (fifteen percent) Intensive Care Unit availability. The Regional Stay at Home Order prohibited private gatherings of any size, closed section operations except for critical infrastructure and retail, and required 100% masking and physical distancing in all others. Once triggered, the Regional Stay at Home Order was to remain in effect for three (3) weeks.

- N. Orange County was located in the Southern California Region under the Regional Stay at Home Order and was one of the regions where the Regional Stay at Home Order was triggered due to low ICU bed capacity.
- O. On January 25, 2021, the Regional Stay at Home Order was lifted and the Blue Print for a Safer Economy continued to govern operations of businesses within the state.
- P. On May 21, 2021, the California Department of Public Health announced that the State of California will move beyond the Blueprint for a Safer Economy, whereby all sectors listed in the current Blueprint Activities and Business Tiers Chart may return to usual operations, with limited exceptions for mega events that include 5,000 or more attendees for indoor events and 10,000 or more attendees for outdoor events.
- Q. As of June 6, 2021, the County of Orange current adjusted daily case rate per 100,000 people is 0.9 with a test positivity rate of 0.6%.
- R. COVID-19 vaccines manufactured by several companies have been given emergency approval by the Food and Drug Administration and have been widely distributed and utilized within the United States. According to the CDC, currently authorized vaccines in the United States are “highly effective” at protecting vaccinated people against symptomatic and severe COVID-19.
- S. In May 2021, the CDC announced new guidance for fully vaccinated individuals allowing fully vaccinated people to:
- Resume activities without wearing masks or physically distancing, except where required by federal, state, local, tribal or territorial laws, rules and regulations, including local business and workplace guidance;
 - Resume domestic travel and refrain from testing before or after travel or self-quarantine after travel;
 - Refrain from testing before leaving the United States for international travel (unless required by the destination) and refrain from self-quarantine after arriving back in the United States.
 - Refrain from testing following a known exposure, if asymptomatic, with some exceptions for specific settings;
 - Refrain from quarantine following a known exposure if asymptomatic; and
 - Refrain from routine screening testing if feasible.
- T. The CDPH has provided that effective June 15, 2021, it will align its mask guidance with that of the CDC. After that, California “plans to allow fully-vaccinated Californians to go without a mask in most indoor settings.”
- U. This Order is adopted pursuant to the City's police powers and powers afforded to the city in time of national, state, county and local emergency during an

unprecedented health pandemic, such powers being afforded by the State Constitution, the City Charter of the City of Santa Ana and the Santa Ana Municipal Code to protect the peace, health, and safety of the public. This Order is necessary for the preservation of the public peace, health, and safety of residents living within the City. Under Government Code Section 8634, this Order is necessary to provide for the protection of life and property.

NOW, THEREFORE, I, Kristine Ridge, the Director of Emergency Services for the City of Santa Ana, do hereby issue the following Order to become effective June 15, 2021 at 12:01 a.m., subject to further clarification by the City Council:

IT IS HEREBY ORDERED THAT:

SECTION 2. Executive Order 14-2020 issued December 4, 2020 by the City's Director of Emergency Services requiring the use of face coverings in public is rescinded effective June 15, 2021 at 12:01 a.m.

SECTION 3. This Order shall become effective June 15, 2021 at 12:01 a.m.

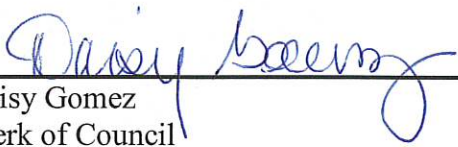
SECTION 4. If any section, subsection, sentence, clause, phrase or word of this Order is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such decision shall not affect the remaining provisions of this order.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2021.



Kristine Ridge
Director of Emergency Services and
City Manager

ATTEST:



Daisy Gomez
Clerk of Council