

**DIRECTOR OF EMERGENCY SERVICES  
PROCLAMATION NO. 4 (2020)**

**A PROCLAMATION OF THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY  
OF LOMPOC, CALIFORNIA, TEMPORARILY SUSPENDING CITY REGULATIONS  
THAT WOULD PROHIBIT OUTDOOR OPERATION OF CITY BUSINESSES**

WHEREAS, section 2.36.060(A)(6)(a) of the Lompoc Municipal Code empowers the Director of Emergency Services, in the event of the proclamation of a "state of emergency" by the Governor of California, or a local emergency by the City Council, to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Council; and

WHEREAS, the President of the United States has declared a State of National Emergency related to the spread of the COVID-19 virus and the Governor has proclaimed a State of Emergency for the State of California and issued Executive Orders directing measures to mitigate the spread of cases of COVID-19 within the State of California; and

WHEREAS, the City Council of the City of Lompoc adopted a proclamation of a local emergency related to the COVID-19 virus on March 17, 2020; and

WHEREAS, the closure of businesses due to COVID-19 has resulted in severe economic hardship for many business in Lompoc; and

WHEREAS, on July 13, 2020, the California Department of Public Health ordered the closure of indoor operations for certain types of businesses, including but not limited to: gyms and fitness centers; places of worship; protests; offices for non-essential critical infrastructure sectors; personal care services (including nail salons, massage parlors, and tattoo parlors); hair salons and barbershops; and malls. The order allows certain businesses to operate outdoors if they follow industry-specific State guidance, including the use of face coverings and social distancing; and

WHEREAS, the Director of Emergency Services has determined that there is a need to take temporary measures to ensure that no City of Lompoc regulations prevent businesses within the City from operating outdoors, provided outdoor operation of those businesses is in compliance with any and all federal, state, or county laws, regulations, license requirements, and health directives, including social distancing requirements, and provided outdoor operation of those businesses is in compliance with the requirements of this Proclamation.

**NOW, THEREFORE, BE IT PROCLAIMED** by the Director of Emergency Services of the City of Lompoc that:

**SECTION 1.** The above recitals are true and correct. Emergency measures are necessary to protect the health, safety, and wellbeing of the citizens of Lompoc from the effects of the COVID-19 pandemic.

**SECTION 2.** Notwithstanding any provision of the Lompoc Municipal Code, all businesses operating in the City, including non-profits and other organizations (collectively, "Businesses"), are temporarily permitted to operate outdoors, subject to compliance with the following requirements:

- (a) Businesses shall comply with all State and County health orders, State executive orders, State and County laws, State and County regulations, and all industry-specific State guidance, including the use of face coverings and social distancing. Businesses are not permitted to operate outdoors if doing so would violate any State or County health order, State executive order, State or County law, State or County regulation, or any industry-specific State guidance.
- (b) Businesses shall comply with the requirements of all industry-specific licensing and permitting authorities. Businesses are not permitted to operate outdoors if doing so would violate any industry-specific license or permit held by the Business.
- (c) Access required under the Americans with Disabilities Act shall be maintained at all times.
- (d) Business may not operate on City sidewalks, in the public right-of-way, or on any other City property, unless a permit for such operation has been issued by the City.
- (e) Businesses shall comply with all City noise regulations (Lompoc Municipal Code Chapter 8.08).
- (f) Live music and amplified sound are prohibited, unless a permit has been issued by the City.
- (g) Business shall provide conveniently located outdoor waste and recycling receptacles for customers, and shall ensure that all trash is cleaned up at the end of each day.
- (h) Outdoor operation is only allowed between the hours of 7:00 a.m. and 10:00 p.m., unless otherwise permitted by the City.
- (i) Businesses shall comply with all requirements of the California Fire Code. All entrances and exits in Business establishments shall remain unobstructed at all times. Fire hydrants must remain unobstructed at all times.
- (j) Each Business shall establish a buffer of at least 10-feet, marked by a physical barrier, including but not limited to cones or a rope, separating dining tables from vehicular traffic in streets or parking lots.

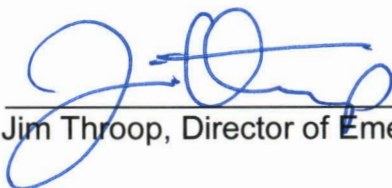
**SECTION 3.** Nothing in this Order is intended to or shall be deemed to waive or suspend any provision of state or federal law, any Executive Order issued by the California Governor, any Health Order issued by the State Public Health Officer or County of Santa Barbara Health Officer, or any private agreement, covenant, or lease regarding the use of private property.

**SECTION 4.** This proclamation shall remain in effect until terminated by the City Council or until the City Council declares an end to the local state of emergency caused by COVID-19, whichever occurs first.


**SECTION 5.** This proclamation shall be presented to the City Council of the City of Lompoc for ratification and approval at its July 21, 2020 meeting, pursuant to Lompoc Municipal Code section 2.36.060(A)(6)(a).

**SECTION 6.** This proclamation shall be enforceable and violations shall be subject to penalties under Lompoc Municipal Code Chapter 1.24 and/or Chapter 1.36. Violations of this proclamation shall be a misdemeanor.

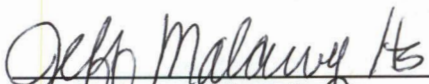
The foregoing proclamation was approved this 16th day of July, 2020.

  
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Jim Throop, Director of Emergency Services


ATTEST:

  
\_\_\_\_\_  
Stacey Haddon, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Jeff Malawy, City Attorney

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the City of Lompoc, California this 16th day of July, 2020.

  
\_\_\_\_\_  
Stacey Haddon, City Clerk

