



EMERGENCY ORDER DES-04-20

Pursuant to the Proclamation of a State of Emergency by California Governor Gavin Newsom on March 4, 2020 in response to the rapid spread of the novel coronavirus (COVID-19), the Governor's Executive Orders (including but not limited to N-33-20), the City's Proclamation of a Local Emergency dated March 16, 2020, and the Orders of the Sacramento County Health Officer dated March 19, 2020, April 7, 2020 and May 1, 2020, and Government Code Section 8634, I hereby issue the following Order:

1. In the interest of balancing the public's needs for greater recreational opportunities and the City's efforts to contain and limit the spread of COVID-19 for the protection of life, health and safety of Folsom residents, City facilities listed on Exhibit "A" attached to this Order are reopened from 11:59 pm on the date of this Order subject to the following requirements:

- A. Six-foot social distancing must be maintained at all times (except for people in the same household). Failure to practice social distancing may result in the suspension or loss of privilege to use the facilities, as well as closure of the facilities.
- B. It is strongly encouraged that privately-owned sports equipment (e.g., balls, rackets, etc.) brought to City facilities be disinfected by the owner before visiting City facility and after each use.
- C. Cloth face coverings or masks are required to enter the Andy Morin Sports Complex. Users must bring their own sports equipment (sanitized before and after use) as none will be provided by the City at this time.
- D. Masks or cloth face coverings are strongly advised if you feel the six-foot distancing between you and others might accidentally be encroached while recreating.
- E. Those recreating at City parks and using park amenities are strongly encouraged to take personal responsibility for sanitizing equipment and structures before and after use.
- F. Users of City facilities and those accessing essential services are strongly encouraged to wear face coverings over their nose and mouth (except for people with medical conditions that preclude wearing facial coverings), and wash hands with soap and water for at least 20 seconds after each visit. This is a strong recommendation and not a mandatory requirement at this time. The face coverings do not have to be (and should not be)

medical-grade surgical masks or N95 respirators, but rather, fabric coverings such as scarves, bandanas or homemade fabric face coverings.

2. Section 5.09.020 of the Folsom Municipal Code limiting the numbers and frequency of garage sales is suspended until termination of the local emergency. Six-foot social distancing must be maintained at all times, except for people in the same household.
3. Provided that the home occupation complies with all operational criteria in Section 17.61.070 of the Folsom Municipal Code, Sections 17.61.030, 17.61.050, and 17.61.060 of the Folsom Municipal Code pertaining to the permitting, business license requirement, and fees for home occupations are suspended until termination of the local emergency.
4. Until termination of the local emergency, City-owned non-ADA public parking spaces may be used temporarily for curbside pick-up of food from restaurants, as well as curbside pick-up of retail goods and merchandise from Essential Businesses (as defined in the latest Sacramento County Health Order), subject to the following requirements:
 - A. Businesses desiring to use public parking spaces for curbside pick-up and delivery shall submit a request, with photographs, drawing or depiction of the proposed location and layout, and obtain a temporary permit from the Community Development Department.
 - B. Temporary signage may be placed at the curb to designate the use of public parking spaces for pick-up and delivery purposes.
 - C. The City reserves the right to determine on a case-by-case basis the suitability and appropriateness of the public parking spaces requested by the businesses.
 - D. The use of City-owned public parking spaces shall not interfere with vehicular and pedestrian traffic, or access under the Americans with Disabilities Act.
 - E. No permanent item or structure may be installed on City-owned public parking spaces.
 - F. No real property right is provided, given, or otherwise conveyed to any person or entity using City-owned public parking spaces as provided herein. Any such use shall cease upon termination of the local emergency, and the permittee shall return City-owned public parking spaces to the condition existing at the time of permit issuance.
5. Once retailers and businesses other than Essential Businesses are permitted by the Sacramento County Health Officer to resume operation (not just to maintain "Minimum Basic Operations" as defined in the latest Sacramento County Health Order), City-owned non-ADA public parking spaces may be used temporarily for curbside pick-up of retail goods and merchandise until termination of the local emergency, subject to the requirements in Section 4 above.

6. Once sit-down dining is permitted by the Sacramento County Health Officer, certain City-owned public properties may be used temporarily for outdoor dining until termination of the local emergency, subject to the following requirements:

- A. Restaurants desiring to use public property for outdoor dining shall submit a request, with photographs, drawing or depiction of the proposed location and layout, and obtain a temporary permit from the Community Development Department.
- B. Temporary signage may be placed at the curb to designate the use of public property for outdoor dining.
- C. The City reserves the right to determine on a case-by-case basis the suitability and appropriateness of the public property requested by the restaurant for outdoor dining.
- D. The use of City property shall not interfere with vehicular and pedestrian traffic, or access under the Americans with Disabilities Act.
- E. No permanent item or structure may be installed on City property.
- F. Temporary fencing not exceeding 3 feet tall shall be placed in a safe manner around the outdoor dining area.
- G. Dining tables shall be placed in a manner that observe six-foot social distance between groups of customers. Customers in the same household dining together are counted as one group and are exempt from this requirement while sitting at the same table(s).
- H. Restaurants shall comply with all applicable State and County laws and regulations pertaining to outdoor dining (including but not limited to sale and consumption of alcoholic beverages) under this provision.
- I. No real property right is provided, given, or otherwise conveyed to any person or entity using public property for outdoor dining purpose. Any such use permitted hereunder shall cease upon termination of the local emergency, and the permittee shall return public property to the condition existing at the time of permit issuance.

7. The amount of the differential for local contract preferences provided for in Section 2.36.100(l) of the Folsom Municipal Code is hereby increased to 25% until termination of the local emergency.

8. To the extent feasible and appropriate based on project type and location, public works activities (including construction and maintenance) occurring in the public rights-of-way shall be

performed outside of normal business hours in order to minimize disruption to commercial and business operations.

9. The provisions in the Folsom Municipal Code limiting temporary signage such as, for example, A-frame, window signs or banner signs, for business advertisement and promotion are suspended until termination of the local emergency, provided that such signs do not block, impede or otherwise interfere with the public rights-of-way and the safe travel of vehicles and pedestrians.

10. The provisions in the Folsom Municipal Code and any Conditional Use Permit limiting or restricting the hours of delivery of goods and supplies to businesses are hereby suspended until termination of the local emergency.

11. Temporary waiver of rental payments for rental or lease of City facilities under a formal written lease agreement or concessionaire agreement due and payable to the City, as described in Emergency Order DES-01-20, shall be extended until termination of the local emergency.

12. Temporary modification to the Contract between the City of Folsom and the Sacramento Society for the Prevention of Cruelty to Animals for Shelter Services dated January 1, 2018, as described in Emergency Order DES-01-20, shall be extended until termination of the local emergency.

Failure of any person to comply with this Order and any order issued by a law enforcement officer pursuant to this Order constitutes an imminent threat to public health.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the City of Folsom, its departments, officers, employees, or any other person.

If any provision of this Order to the application thereof to any person or circumstances is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

This Order shall be filed in the City Clerk's Office and given widespread publicity and notice.

**IT IS SO ORDERED:
DES-04-20**

Date: May 1, 2020

By: 
Elaine Andersen
City Manager
Director of Emergency Services

EXHIBIT A

[RE-OPENING OF CITY FACILITIES]

- **Andy Morin Sports Complex. Masks or cloth face coverings required to enter facility. Only non-contact sports or recreational activities are authorized.**

- **Athletic fields, including but not limited to Lembi, Livermore, Econome, Kemp, Catlin, Davies, Ed Mitchell, Briggs, Rodeo, Handy Family, McFarland, Mann, Nisenan, Cohn, and Sheldon parks. Only non-contact sports or recreational activities are authorized. Drop-in play only, no organized league practices or games authorized.**

- Ball walls

- Bocce ball courts

- FIDO Field Dog Park

- Pickleball courts

- Playgrounds and play equipment

- Tennis courts

- Volleyball courts

- B.T. Collins Disc Golf Course

- Skate park

- Bike park