

CITY OF SANGER
EMERGENCY SERVICES DIRECTOR EXECUTIVE ORDER 20-11
RELATING TO TEMPORARY PERMITS ALLOWING THE USE OF PUBLIC RIGHT-OF-WAY DURING THE COVID-19 STATE OF EMERGENCY

WHEREAS, On July 13, 2020, the Governor for the State of California issued further action for businesses, industries, uses, and activities in counties that have been on the County Monitoring List for three days. Fresno County has been listed for three days, which means these further actions apply to businesses, industries, uses, and activities in Sanger. The purpose of the State mandate is to reduce the risk of COVID-19 risk and exposure. The purpose of this local order is to ensure the State mandate is followed in Sanger.

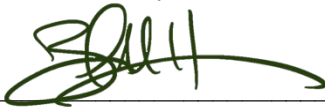
As the Acting Director of Emergency Services pursuant to *Sanger City Code Chapter 26, Article I*, and by the powers vested in me by *Sanger City Code Section 26-6*, I hereby issue the following, to be effective immediately and for so long as the City's declared emergency is in effect related to COVID-19:

1. The Director of Planning for the City of Sanger, under the *Sanger Municipal Code Section 90-697*, is authorized to review applications and issue permits for the temporary use of properties within the City of Sanger which include temporary modifications that a business may propose on private property under the City's Zoning Ordinance.
2. The Director of Planning or authorized designee, shall use the same temporary use process to review and approve the temporary usage of public right-of-way, such as sidewalks and streets undertaken by a business in response to the COVID-19 outbreak. Any temporary permits issued shall be similar in term to any other temporary use permits as issued by the City of Sanger. Any such issued permits shall be terminated when the local emergency orders end or if this order is modified or removed.
3. The process shall only be utilized for modification undertaken by businesses in response to COVID-19 and shall be specific to the following industries, uses, and activities if they can be modified to either operate exclusively outside or by pick up:
 - Restaurants
 - Fitness centers
 - Worship services
 - Protests
 - Offices for non-essential sectors
 - Personal care services, like nail salons, body waxing and tattoo parlors
 - Hair salons and barbershops
 - Malls
4. The Director of Planning or authorized designee shall require adherence to applicable state and federal requirements for accessibility in public right-of-way for pedestrian usage or at least a four-foot wide path of travel. Applicants shall be required to prevent the obstruction of entry points as required by applicable building and fire codes. Uses in the public right-of-way/streets shall require sufficient traffic controls to maintain pedestrian safety and shall include other applicable requirements, including but not limited to a separate encroachment permit, as considered necessary based on the specific facts and circumstances stated in each application. Consumption of alcohol will only be allowed if the business is expressly permitted to offer such sales in the specific area under an existing State license and accompanied by a full meal service. Compliance with public health laws shall be required. No permit shall be issued if these conditions cannot be met.
5. The fee associated with these type of temporary use permits involving the public right-of-way shall be the same as that charged for similar types of temporary use permits. City staff is directed to track when temporary use permits are being requested as a response to the COVID-19 outbreak. Applicant shall be notified of the potential fee. Any and all fee-waiver requests shall require Council action. Request shall be placed on the next available Council meeting for consideration.

6. The Order shall be subject to amendment or repeal at any time, and shall not be deemed to confer any contractual obligations, property rights, or assume any City liability.
7. If any provision of this Order or its application to any person or circumstance is held to be invalid, then 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.
8. This Order shall be immediately translated into Spanish, and accommodations made for all disabled persons to read its contents; it shall also be distributed to all local media and made prominently available on the City's website.
9. Sanger Police Department, Sanger Code Enforcement Department, and other law enforcement authorities cooperating with the City of Sanger, are hereby authorized and charged, to the extent provided by law, with the responsibility of enforcing this regulation. Any violation of this order is subject to penalties as provided in *Sanger City Code Section 1-7*.

THEREFORE, I, Bret Harmon, as Acting Director of Emergency Services, to help mitigate the spread of COVID-19 and the financial effects related to COVID-19, authorize those businesses, industries, uses, and activities who can operate exclusively outdoors, to take effect immediately and remain in effect during the duration of the local State of Emergency unless otherwise modified.

DATE: July 14, 2020



Bret Harmon, Acting City Manager/Acting Director of Emergency Services

ATTEST:



Rebeca Padron, City Clerk/Deputy Personnel Officer