

**ORDER NO. 3 OF THE DIRECTOR OF EMERGENCY SERVICES (HALF MOON BAY CITY MANAGER)
DIRECTING TEMPORARY BEACH CLOSURES TO PREVENT THE SPREAD OF COVID-19 AND
PROTECT EVACUATION ROUTES RELATED TO THE CZU LIGHTNING COMPLEX FIRE FROM
SUNRISE ON AUGUST 29, 2020 THROUGH SUNRISE ON AUGUST 21, 2020**

WHEREAS, Section 2.25.060.A.1 of the Half Moon Bay Municipal Code empowers the Director of Emergency Services to request the City Council to proclaim the existence or threatened existence of a local emergency if the City Council is in session;

WHEREAS, HMB Municipal Code Section 2.25.060.A.6.a states that the Director of Emergency Services shall have the power during a proclaimed emergency to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency, provided that such rules and regulations are confirmed at the earliest practicable time by the City Council;

WHEREAS on March 16, 2020, the County of San Mateo Health Officer ordered a shelter in place order, which was extended and revised on March 31, 2020, April 29, 2020, May 15, 2020, May 29, 2020, and June 4, 2020;

WHEREAS, on March 17, 2020, the City Council adopted Resolution No. C-2020-16 proclaiming that a local emergency now exists throughout Half Moon Bay as a result of the threat of the novel coronavirus (named "COVID-19" by the World Health Organization);

WHEREAS, on March 19, 2020, the Governor of the State of California issued Executive Order N-33-20, ordering all individuals in the State of California to stay home or at their place of residence, except as outlined by the California Department of Public Health, during the COVID-19 pandemic for the preservation of public health and safety throughout California and to ensure that the healthcare delivery system is capable of serving all, including those at higher risk and the most vulnerable;

WHEREAS, the County of San Mateo Health Officer, on June 17, 2020, rescinded the Shelter in Place Order but required the continued practice of Social Distancing and Face Covering Requirements;

WHEREAS, San Mateo County and other Bay Area counties continue to experience an increase in COVID-19 cases and hospitalizations;

WHEREAS, there have been surges of visitors to Half Moon Bay beaches throughout the summer, some of whom are ignoring face covering and social distancing regulations;

WHEREAS, large public gatherings present an especially high risk for the community transmission of COVID-19, and the nature of such gatherings make observation and enforcement of required social distancing measures impractical and ineffective;

WHEREAS, this Order furthers Section 13.d of the San Mateo County Health Officer Order No. c19-11, which requires individuals to maintain at least six-foot social distancing from individuals who are not part of the same household or living unit;

WHEREAS, in collaboration with regional partners, and pursuant to Order of the Director of Emergency Services dated July 1, 2020 (“Order No. 1”), the City closed its beaches for the Fourth of July holiday weekend which greatly reduced the number of visitors and traffic to Half Moon Bay and the coast;

WHEREAS, on August 19, 2020, the CZU Lightning Complex Fire in San Mateo and Santa Cruz Counties forced evacuations of many residents of communities in the unincorporated coastsides, many of whom are being evacuated to Half Moon Bay;

WHEREAS, portions of Highways 1, 84 and 35 south of Half Moon Bay have been closed due to the fire, leaving only northbound Highway 1 and eastbound Highway 92 as evacuation routes from Half Moon Bay and the coast;

WHEREAS, in collaboration with regional partners, and pursuant to Order of the Director of Emergency Services dated August 20, 2020 (“Order No. 2”), the City closed its beaches for the weekend of August 21 to August 24, 2020, which served to protect evacuation routes related to the CZU Lightening Complex fire and reduce the spread of COVID-19;

WHEREAS, on August 25, 2020, the Director of Emergency Services (City Manager) proclaimed a state of emergency due to the CZU Lightening Complex Fires. The City is assisting in the support of wildfire evacuees, lending staff and providing City resources; and

WHEREAS, the closure of the City’s beaches and their parking areas from August 29 to August 31, 2020 is necessary to discourage travel to Half Moon Bay, to prevent unsafe crowding on the City’s streets and beaches, and unsafe traffic congestion on evacuation routes.

NOW, THEREFORE, IT IS HEREBY ORDERED:

SECTION 1. The recitals set forth above are incorporated herein as if fully set forth, are true and correct, and are adopted as findings in support of this Order.

SECTION 2. Temporary Closure of Beaches.

1. All City beaches and their parking areas are to be temporarily closed to the public as of sunrise on Saturday, August 29, 2020, until sunrise on Monday, August 31, 2020.
2. Enforcement. Any person who violates this Section is subject to enforcement and penalties under HMB Municipal Code Title 4 (Code Enforcement), including administrative citations set forth in Chapter 4.16: the fine amount for the first violation is \$100, the second violation is \$250, and the third violation is \$500. This Order may be enforced through any other lawful means, including but not limited to, California Health

and Safety Codes sections 101029, 120295 et seq., and 131082; Government Code section 41601 and Penal Code sections 15 and 836.

SECTION 3. Severability. If any section, subsection, clause, or phrase of this Order is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion or sections of the Order.

SECTION 4. This order takes precedence over ordinances or resolutions in conflict herewith.

IT IS FURTHER ORDERED that the Director of Emergency Services shall request that the City Council confirm this Order at the earliest practicable time.

8/26/20
Date

Robert Nisbet
Bob Nisbet, City Manager and
Director of Emergency Services

