

**CITY OF MANHATTAN BEACH  
DIRECTOR OF EMERGENCY SERVICES ORDER NO. 22**

**CLOSING CERTAIN PUBLIC SEATING AREAS UNTIL FURTHER NOTICE**

**EFFECTIVE JANUARY 2, 2021**

WHEREAS, the Los Angeles County Department of Public Health recently issued a revised Safer at Home Order for Control of COVID-19 in “response to the sustained and substantial rise in COVID-19 cases, hospitalizations and deaths”, which order required the closure of, among other things, indoor and outdoor in-person onsite restaurant dining and outdoor seating; and

WHEREAS, the City has received complaints that people are consuming food and violating social distancing protocols at certain public seating areas, including those located on Manhattan Avenue, Highland Avenue, Manhattan Beach Boulevard, Ocean Drive, and at Metlox Plaza (the “Public Seating Areas”); and

WHEREAS, in the interest of the public health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary to exercise the authority pursuant to Chapter 3.08 of the Manhattan Beach Municipal Code, Manhattan Beach City Council Resolution No. 20-0039, and the California Emergency Services Act, Chapter 7 (commencing with Section 8550) of Title 2 of the Government Code, to issue this order.

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

Section 1. The recitals set forth above are true and correct and are incorporated into this Order by reference.

Section 2. Pursuant to Manhattan Beach Municipal Section 3.08.060.A.6.a, the City Manager as the Director of Emergency Services orders the following:

- A. The Public Seating Areas are hereby closed.
- B. No person – including restaurant owners, operators, employees, and patrons – shall use the Public Seating Areas.
- C. Any portions of Emergency Order Nos. 10, 11, 16, 19, and 21 inconsistent with subsections 2.A and 2.B of this Emergency Order are stayed until further notice.

Section 3. Any use of the Public Seating Areas may be determined to be a misdemeanor and punishable by a fine or imprisonment, or both, pursuant to Government Code Section 8665, Manhattan Beach Municipal Code Chapter 1.04, and any other state or city law as may be applicable. In lieu of prosecuting a violation as a misdemeanor, the City may, at its sole discretion under Manhattan Beach Municipal Code Chapter 1.06, issue an administrative citation for each violation and assess a fine of \$250 for the first violation, \$500 for the second violation, and \$1,000 for each subsequent violation.

Section 4. Pursuant to Government Code Section 8634 and Manhattan Beach Municipal Code Chapters 1.06 and 3.08, the City shall require any restaurant, brewery, and winery that uses the Public Seating Areas to cease all operations for two days for a third violation and cease all operations for four days for a fourth violation. For a fifth violation of this Emergency Order, the City shall initiate revocation proceedings, and notify the California Department of Alcoholic Beverage Control that the violator has violated the terms and conditions of this Order.

Executed on January 2, 2021.

/s/ Bruce Moe

City Manager Bruce Moe  
Director of Emergency Services