

**CITY OF COSTA MESA REGULATION NO. 8 PURSUANT TO
PROCLAMATION NO. 2020-01**

**COSTA MESA REGULATION NO. 8 ISSUED PURSUANT TO A PROCLAMATION BY
THE CITY MANAGER OF THE CITY OF COSTA MESA, CALIFORNIA, ACTING AS
THE DIRECTOR OF EMERGENCY SERVICES, REVISING REGULATION NOS. 5
AND 7 REGARDING TEMPORARY SUSPENSION OF ENFORCEMENT OF CERTAIN
PARKING RESTRICTIONS IN RESIDENTIAL NEIGHBORHOODS**

WHEREAS, Costa Mesa Municipal Code Section 6-6 empowers the City Manager, as the Director of Emergency Services, to declare the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity; and

WHEREAS, Government Code Section 8550, *et seq.*, including Section 8558(c), authorize the City Manager to proclaim a local emergency when the City is threatened by conditions of disaster or extreme peril to the safety of persons and property within the City that are likely to be beyond the control of the services, personnel, equipment, and facilities of the City; and

WHEREAS, a novel coronavirus, COVID-19, causes infectious disease and was first detected in Wuhan City, Hubei Province, China in December 2019. Symptoms of COVID-19 include fever, cough, and shortness of breath; outcomes have ranged from mild to severe illness, and, in some cases, death. On January 30, 2020, the World Health Organization (WHO) declared the outbreak a "public health emergency of international concern" and on March 11, 2020, the WHO has elevated the public health emergency to the status of a pandemic. On January 31, 2020, United States Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19. On February 26, 2020 the County of Orange declared a local emergency and a local health emergency. On March 4, 2020, California Governor Gavin Newsom declared a State of Emergency in California; and

WHEREAS, the Governor on March 12, 2020 issued Executive Order N-25-20, ordering, *inter alia*, that all residents are to heed the orders and guidance of state and local public health officials; and

WHEREAS, on March 12, pursuant to Proclamation No. 2020-01, the City Manager did proclaim the existence of a local emergency pursuant to Title 6 of the Costa Mesa Municipal Code; and

WHEREAS, on March 13, 2020 the City Council pursuant to Resolution No. 2020-09 did ratify Emergency Proclamation No. 2020-01; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a national emergency; and

WHEREAS, on March 19, 2020, the Governor issued Executive Order N-33-20, including the Order of the State Public Health Officer mandating all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors, as outlined at <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19>; and

WHEREAS, on November 19, 2020, the California Department of Public Health issued a Limited Stay at Home Order, which was supplemented on December 22, 2020; and

WHEREAS, on December 3, 2020, the California Department of Public Health issued a Regional Stay at Home Order, which was supplemented on December 6, 2020; and

WHEREAS, the requirement that residents stay home as much as possible resulted in individuals leaving their vehicles on the streets of residential neighborhoods where street sweeping is scheduled to occur during the times scheduled for sweeping or in violation of residential permit parking requirements; and

WHEREAS, during this local emergency, and in the interest of protecting the public health and preventing transmission of COVID-19, enforcement of street sweeping and residential permit parking restrictions in residential neighborhoods was temporarily suspended to avoid unnecessary travel and moving of vehicles, by adoption of Regulation No. 5 Pursuant to Proclamation No. 2020-01, ratified by the City Council by means of Resolution No. 2021-01 on January 19, 2021;

WHEREAS, on September 7, 2021, the City Council ratified Regulation No. 7 which ended the suspension of street sweeping parking restrictions during times the street sweepers were present, by means of Resolution No. 2021-34;

WHEREAS, while the City is in the midst of taking action to implement recommendations arising from a parking study, the Director of Emergency Services wishes to modify Regulation Nos. 5 and 7 to allow enforcement of residential parking restrictions during the operation of the Orange County Fair, from July 15, 2022 to August 14, 2022, in the surrounding residential neighborhoods pursuant to the City's annual temporary resident parking only permit program.

NOW, THEREFORE, IT IS PROCLAIMED AND ORDERED by the City Manager of the City of Costa Mesa acting as the Director of Emergency Services as follows, to become effective at 11:59 p.m. on July 14, 2022, subject to ratification as soon as practicable by the Costa Mesa City Council:

SECTION 1. The above recitals are true and correct and incorporated herein by this reference. The recitals referenced herein, are adopted as though set forth fully herein as findings in support of this regulation.

SECTION 2. Suspension of enforcement of residential parking restrictions involving permit requirements in residential neighborhoods of the City of Costa Mesa will continue except that temporary residential parking permits in the neighborhoods surrounding the Orange County Fairgrounds may be issued and enforced during the operation of the Orange County Fair from July 15, 2022 through August 14, 2022.

SECTION 3. This regulation must be confirmed at the earliest practicable time by the City Council.

SECTION 4. If any subsection, sentence, clause, phrase, or word of this regulation or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this regulation.

SECTION 5. Notwithstanding pending review of this regulation by the City Council for confirmation at the earliest practicable time, this regulation shall take effect at 11:59 p.m. on July 14, 2022.


SECTION 6. The portion of this regulation relating to enforcement of temporary residential parking restrictions during operation of the Orange County Fair shall remain in effect until terminated by subsequent order of the Costa Mesa Director of Emergency

Services, terminated by resolution or other action of the City Council, or until August 15, 2022 at 12:01 a.m., whichever occurs earlier. After August 15, 2022, the city-wide temporary enforcement suspension relating to residential parking permits only shall remain in effect until full implementation of the new permit parking system, or until it is terminated by subsequent order of the Costa Mesa Director of Emergency Services, or terminated by resolution or other action of the City Council, whichever occurs earlier.

PROCLAIMED this 12th day of July, 2022.



Lori Ann Farrell Harrison, City Manager



Kimberly Hall Barlow, City Attorney

ATTEST:



Brenda Green, City Clerk