

CITY OF HEALDSBURG

RESOLUTION NO. 75-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEALDSBURG AUTHORIZING ALCOHOLIC BEVERAGE CONSUMPTION IN THE HEALDSBURG PLAZA AND AT WEST PLAZA PARK AND ON ADJACENT STREETS, SIDEWALKS, AND PUBLIC RIGHTS OF WAY

WHEREAS, California Government Code §8630 empowers the City Council to proclaim 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 §8634 empowers the City to promulgate orders and regulations to provide for the protection of life and property; and

WHEREAS, pursuant to Healdsburg Municipal Code Chapter 9.04, the Director of Emergency Services has declared the existence of a Local Emergency, which Local Emergency has been ratified by the City Council on March 16, 2020; and

WHEREAS, on March 17, 2020, the County of Sonoma's Health Officer issued a County-wide shelter-in-place directive (#C19-03) that requires individuals to isolate in their places of residence, except as needed for the performance of essential activities; and

WHEREAS, on March 19, 2020, the Governor of the State of California ("Governor") issued Executive Order N-33-20, which provides that individuals living in the State of California are required to stay at home except as needed to maintain continuity of operations of the critical infrastructure sectors; and

WHEREAS, since that time, many retail establishments and restaurants in the City have been entirely shut down or engaged in only limited operations; and

WHEREAS, in mid-May 2020, the Governor of the State of California and the California Department of Public Health published guidance, including social distancing requirements, regarding the opening of certain businesses subject to stages established by the State; and

WHEREAS, the City has an important governmental interest in maintaining a thriving business community and protecting the health, safety, and economic welfare of its citizens and businesses; and

WHEREAS, in order to protect the health and safety of the City, while fostering economic wellbeing of the City's citizens and businesses, the City wishes to assist both essential and non-essential businesses in remaining open, or re-opening when lawfully permitted to do so; and

WHEREAS, as local restaurants are permitted to re-open pursuant to State and County orders, laws, and/or guidance, the City wishes to utilize the Healdsburg Plaza and West Plaza Park (all or in part) in a manner that would allow people to carry and consume alcoholic beverages in these areas, in compliance with social distancing requirements, and in an effort to protect the health and safety of the citizens of Healdsburg; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary to issue and implement this Resolution to protect life, property and civil order.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HEALDSBURG DOES HEREBY ORDER AS FOLLOWS:

SECTION 1. Authorization to Consume Alcoholic Beverages in the Plaza and West Plaza Park. To facilitate social distancing and commerce, Section 12.28.220(A) of the Healdsburg Municipal Code shall not apply to the transport and consumption of alcoholic beverages in the Plaza and as West Plaza Park.

SECTION 2. Authorization to Consume Alcoholic Beverages on Public Streets, Sidewalks, and Rights of Way immediately adjacent to the Plaza and West Plaza Park. To facilitate social distancing and commerce, Section 9.12.170(A) of the Healdsburg Municipal Code shall not apply to the transport and consumption of alcoholic beverages on streets, sidewalks, parklets and rights of way limited to Matheson Street between Healdsburg Avenue and Center Street, Healdsburg Avenue between Matheson Street and North Street, North Street between Healdsburg Avenue and Center Street, Center Street between North Street and Matheson Street, and Plaza Street between Healdsburg Avenue and East Street. The above street sections include the public spaces surrounding each intersection of the above-named streets. For example, where North Street meets Center Street, the sidewalks, parklets, and rights of way at each corner of the intersection would be included in this waiver.

SECTION 3. Effective Date of Resolution. This Resolution shall become effective on the date signed by the Mayor of the City of Healdsburg and shall expire when repealed or upon a declared termination of the state of emergency regarding COVID-19 by the Healdsburg City Council.

SECTION 4. The City Clerk shall certify the adoption of this Resolution and shall cause a certified Resolution to be filed in the Office of the City Clerk.

PASSED, APPROVED AND ADOPTED this 15th day of June 2020, by the following vote:

AYES: Councilmembers: (5) Hagele, McCaffery, Mitchell, Naujokas and Mayor Gold

NOES: Councilmembers: (0) None

ABSENT: Councilmembers: (0) None

ABSTAINING: Councilmembers: (0) None

SO ORDERED:

ATTEST:


Leah Gold, Mayor


Raina Allan, City Clerk

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I, RAINA ALLAN, Acting City Clerk of the City of Healdsburg, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 75-2020 adopted by the City Council of the City of Healdsburg on the 15th day of June, 2020.



Raina Allan, City Clerk

