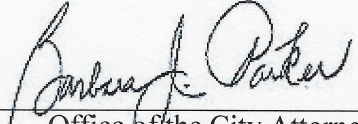


Approved as to Form and Legality

  
Office of the City Attorney

**Emergency Order No. 2 of the City of Oakland  
Interim City Administrator/Director of the Emergency Operations Center**

**Whereas**, due to the spread of COVID-19 (coronavirus) within the state, on March 1, 2020 the Alameda County Public Health Department, and on March 4, 2020, Governor Gavin Newsom, declared local and state public health emergencies due to the spread of COVID-19 locally and within the state, pursuant to Health & Safety Code section 101080 and Government Code section 8625, respectively, and

**Whereas**, on March 9, 2020, the City Administrator in her capacity as the Director of the Emergency Operations Center (EOC), issued a proclamation of local emergency due to the spread of COVID-19 in Oakland, and on March 12, the City Council passed Resolution No. 88075 C.M.S. confirming the existence of the local emergency proclaimed by the City Administrator pursuant to her power under Oakland Municipal Code section 8.50.050(C) to proclaim a local emergency provided that the local emergency proclamation shall remain in effect only if the City Council confirms the existence of the emergency within seven days; and

**Whereas**, on March 19, 2020, Governor Newsom issued Executive Order N-33-20, ordering “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”, and further acknowledged that the “supply chain must continue, and Californians must have access to such necessities as food, prescriptions, and health care”; and

**Whereas** . the Order N-33-20 provides that, to mitigate/control the spread of COVID-1, when people need to leave their homes or places of residence to carry out specified essential functions or to facilitate necessary activities, they should at all times practice “social distancing”, which means remaining a distance of six (6) feet from other persons when in public places; and

**Whereas**, the City Administrator in his capacity as the Director of the EOC has authority “to promulgate orders, rules, and regulations on matters reasonably related to the protection of life and property and the preservation of public peace and order, in accordance with Article 14 of the California Emergency Services Act, [and such] rules and regulations must be confirmed at the earliest practicable time by the governing body as required by law; and

**Whereas**, it is imperative that citizens practice social distancing (i.e., maintain a distance of six feet from others) in public places such as City parks, recreational areas and facilities serving those areas to avoid contracting or exposing others to COVID-19; and

**Whereas**, to the extent that the City’s emergency proclamation and/or the Emergency Services Ordinance codified at Oakland Municipal Code Chapter 8.50.050 do not expressly or impliedly suspend or waive the following provisions of the City’s laws, policies or procedures, the City Administrator in his capacity as the Director of the EOC hereby promulgates the following orders, rules and regulations;

Now, Therefore, I, Steven Falk, Interim City Administrator/Director of the Emergency Operations Center of the City of Oakland, in accordance with the authority vested in me pursuant to Oakland's Emergency Services Act, Oakland Municipal Code Chapter 8.50, specifically section 8.50.050.C.5.(a), hereby order the following:

1. Oakland Municipal Code Chapter 2.07, which requires Council approval of grants, is hereby suspended and the City Administrator is authorized to accept, appropriate, and distribute in accordance with the conditions of, any and all COVID-19-related monetary grants, donations and gifts in any amount, and any and all COVID-19-related non-monetary, material and other donations and gifts of any value, without approval of the City Council. This authority to accept COVID-19-related monetary and non-monetary grants, donations and gifts shall be for the duration of the local emergency or until such time as this order is rescinded or the City Council terminates the emergency, whichever is earlier.
2. All time-limits, appeals enforcement activities and other procedural deadlines associated with the City's Illegal Dumping enforcement programs, set forth in Oakland Municipal Code, Chapter 8.11, and related administrative instructions, regulations and policies are suspended for the duration of the local emergency or until such time as this order is rescinded or the City Council terminates the emergency, whichever is earlier.
3. All procedural deadlines and time limits associated with appeals of citations, violations, and permits under Oakland Municipal Code Chapter 1.08 (Civil Penalties), Chapter 1.12 (Administrative Citations), Chapter 1.16 (Alternative Administrative Procedure for Abatement of Certain Violations), Chapter 5.02 Permits, Chapter 5.91 (Licensure of Tobacco Retailers), Chapter 8.11 (Illegal Dumping), Chapter 8.24 (Property Blight), Chapter 12.08 (Encroachments), Chapter 12.36 (Protected Trees), Chapter 12.40 (Hazardous Trees), and related administrative instructions, regulations and policies are suspended for the duration of the local emergency or until such time as this order is rescinded or the City Council terminates the emergency, whichever is earlier.

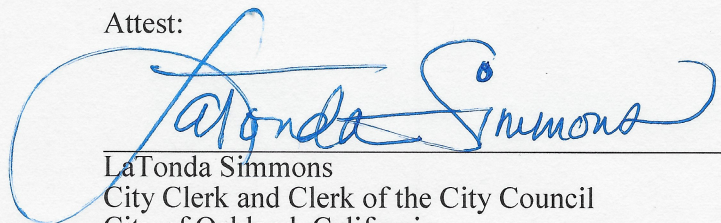
**I FURTHER DIRECT** that as soon hereafter as possible, this Order shall be filed in the Office of the City Clerk, posted on the City of Oakland website, and that widespread publicity and notice of this Order shall be provided to the public.

IN WITNESS WHEREOF I have hereunto set my hand this 27th day of March, 2020



Steven Falk  
Interim City Administrator/Director of Emergency  
Operations Center, City of Oakland, California

Attest:



LaTonda Simmons  
City Clerk and Clerk of the City Council  
City of Oakland, California