



City of San Diego
EXECUTIVE ORDER NO. 2020-10
By the Mayor

On March 12, 2020, I issued a proclamation of local emergency in preparation and response to the spread of the COVID-19 virus in our community, which our City Council ratified on March 17, 2020. The local emergency will continue until its termination.

On March 19, 2020, in Executive Order N-33-20, the Governor directed all California residents to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors, under the Order of the State Public Health Officer until further notice.

On March 12, 2020, the County Public Health Officer issued orders directing the public to take certain actions to protect the public health from COVID-19. The Public Health Order was amended several times and is in effect until further notice, unless extended.

The Centers for Disease Control and Prevention recommends staying at least six feet away from non-household members in both indoor and outdoor spaces to reduce the spread of COVID-19.

On July 6, 2020, San Diego County was placed on the County Monitoring List.

On July 13, 2020, the State of California ordered the closure of indoor activities for the following industries and activities within counties on the County Monitoring List for three consecutive days: fitness centers, places of worship, indoor protests, offices for non-essential sectors, personal care services, hair salons, barbershops, and indoor malls.

Due to these mandated indoor closures, many of these industries, including fitness centers and related businesses, may not be able to fulfill their financial obligations, which may result in a loss of property. These business closures will negatively affect the local economy by creating job loss, limiting services available to City residents, and decreasing tax revenues to the City to respond to COVID-19. It is in the City and public's best interest to protect life and property by acting to mitigate a substantial loss of income to local residents and businesses due to the loss of compensable work hours or wages, layoffs, and business closures. Allowing for the operation of fitness centers and gyms in City parks is necessary to protect the residents of San Diego by meeting social distancing requirements that reduce the spread of COVID-19, and expediting economic recovery efforts available to impacted employees who continue to suffer during this pandemic.

Places of worship are unable to provide indoor worship services, which will negatively impact City residents by limiting human interaction and spiritual support. Recognizing that residents



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have a constitutional right to religious expression and speech in public forums, such as City parks, it is necessary to protect the residents of San Diego by meeting social distancing requirements that reduce the spread of COVID-19 by allowing worship services to operate in City parks. This will provide them additional room and space to comply with all social distancing and additional guidelines set forth by the State of California and Public Health Officer.

Therefore, I am taking action to allow for the issuance of permits in the City of San Diego's outdoor parks to faith-based organizations for religious worship services and to gyms, fitness facilities, and personal trainer businesses for physical fitness activities. I also find there is good cause to extend the time for payment of any and all associated permit fees for sixty (60) days, or until the City Council acts on an emergency ordinance to waive the above mentioned fees, which shall be presented for the City Council's consideration at the earliest practicable time, whichever comes first. I further find it is in the City's best interest not to require a revenue sharing agreement for any permitted commercial business activities affected by the July 13, 2020 Public Health Order that operates in City parks pursuant to this Executive Order.

By virtue of authority vested in me as Mayor of the City of San Diego pursuant to the provisions of the City Charter, San Diego Municipal Code section 51.0105, and California Government Code section 8634 to promulgate, issue, and enforce rules, regulations, and orders, I hereby declare the following orders to be necessary for the protection of life and property and I hereby order, effective immediately until further notice that:

1. All of the requirements contained in Executive Order No. 2020-1, dated March 16, 2020, except those superseded here or by order of the Governor or Public Health Official remain in effect.
2. All of the requirements contained in Executive Order No. 2020-2, dated March 30, 2020, except those superseded here or by order of the Governor or Public Health Official remain in effect.
3. All of the requirements contained in Executive Order No. 2020-3, dated April 30, 2020, except those superseded here or by order of the Governor or Public Health Official remain in effect.



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4. All of the requirements contained in Executive Order No. 2020-4, dated May 21, 2020, except those superseded here or by order of the Governor or Public Health Official remain in effect.
5. All of the requirements contained in Executive Order No. 2020-5, dated May 29, 2020, except those superseded here or by order of the Governor or Public Health Official remain in effect.
6. All of the requirements contained in Executive Order No. 2020-6, dated June 5, 2020, except those superseded here or by order of the Governor or the Public Health Official, remain in effect.
7. All of the requirements contained in Executive Order No. 2020-7, dated June 30, 2020, except those superseded here or by order of the Governor or the Public Health Official, remain in effect.
8. All of the requirements contained in Executive Order No. 2020-8, dated July 7, 2020, except those superseded here or by order of the Governor or the Public Health Official, remain in effect.
9. All of the requirements contained in Executive Order No. 2020-9, dated July 20, 2020, except those superseded here or by order of the Governor or the Public Health Official, remain in effect.
10. Except as superseded by order of the Governor or the Public Health Official:
 - a. Effective Monday, August 24, 2020, the Director of the Parks and Recreation Department is authorized to issue permits to the following industries and activities to use City parks for religious worship services and physical fitness activities, provided businesses are otherwise in compliance with all social distancing and other COVID-19-related health orders and all other City, county, state and federal laws, including Americans with Disabilities Act;
 - i. Gyms, fitness facilities, and personal trainers; and
 - ii. Faith-based organizations.



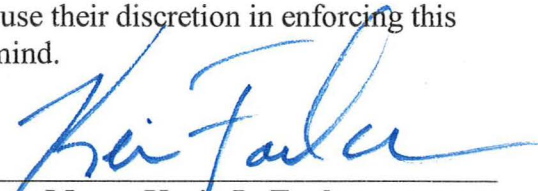
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Permits must be applied for in advance via the Parks and Recreation Department. All permit applications received will have its requested park location, proposed use, and dates of use reviewed by City staff for compliance with City rules and regulations, as well as availability. Upon completion of review, applicants will be asked to provide additional documents such as insurance and safe reopening plans that describe how they will operate under COVID-19-related health order conditions. Permits will be granted to existing contractors and service providers who deliver programs on behalf of the City of San Diego and existing permit holders first. Permits for all other entities will be granted on a first come, first served basis.

- b. The Director of the Parks and Recreation Department is hereby authorized to extend the time for payment of associated permit fees for the use of City parks to faith-based organizations for religious worship services and to gyms, fitness facilities, and personal trainer businesses for physical fitness activities effective Monday, August 24, 2020.
- c. Extension of the above-mentioned fees shall be in effect for sixty (60) days or until the City Council acts on an emergency ordinance, which shall be presented for the City Council's consideration at the earliest practicable time, whichever comes first.
- d. Pursuant to San Diego Municipal Code section 22.4024(c) any commercial business affected by the July 13, 2020 Public Health Order closing indoor activities that operates in City parks pursuant to this Executive Order shall not be required to enter into a revenue sharing agreement with the City.

Any violation of the above prohibitions may be referred for prosecution to the fullest extent of the law. Each individual officer should use their discretion in enforcing this order and always keep the intent of the order in mind.

Dated: August 18, 2020



Mayor Kevin L. Faulconer