

FIRST AMENDMENT EXTENDING

A PROCLAMATION BY THE DIRECTOR OF EMERGENCY SERVICES TEMPORARILY CLOSING SAN FERNANDO BOULEVARD BETWEEN ANGELENO AVENUE AND MAGNOLIA BOULEVARD TO VEHICLE TRAFFIC WITH CROSS STREETS OPEN AND FURTHER EXPANDING OUTDOOR DINING TO PREVENT THE SPREAD OF COVID-19

The Director of Emergency Services of the City of Burbank does hereby find:

A. On July 15, 2020 the City Manager, as the Director of Emergency Services, issued the following:

A PROCLAMATION BY THE DIRECTOR OF EMERGENCY SERVICES TEMPORARILY CLOSING SAN FERNANDO BOULEVARD BETWEEN ANGELENO AVENUE AND MAGNOLIA BOULEVARD TO VEHICLE TRAFFIC WITH CROSS STREETS OPEN AND FURTHER EXPANDING OUTDOOR DINING TO PREVENT THE SPREAD OF COVID-19 ("SFB Closure Proclamation")

The City Council confirmed issuance of this emergency proclamation on August 11, 2020.

B. Since issuance of the SFB Closure Proclamation, Los Angeles County remains on the Governor's watch list for COVID-19.

C. The temporary closure of indoor dining, which began on July 1, 2020, continues and only outdoor dining is allowed.

D. All of the reasons stated in the recitals of the SFB Closure Proclamation for issuance of said Proclamation still exist today.

E. The temporary closure of San Fernando Boulevard between Angeleno Avenue and Magnolia Boulevard has been successful. The closure of these three blocks to vehicles provides for a pedestrian promenade. This has encouraged the patronage of restaurants and retail stores in the downtown area by providing for greater social distancing. Further, the closure allowed restaurants to expand outdoor dining along the sidewalks and into parking stalls on the street. This too has ensured social distancing, supported restaurants' efforts to reopen given the closure of indoor dining and given more opportunities for patrons seeking outdoor dining options as opposed to takeout.

F. During this State of Emergency, the City must consider the welfare of its businesses while protecting the health and welfare of its citizens. The continued temporary closure of three blocks of San Fernando Boulevard to create an economic recovery zone is a permissible purpose within the scope of California Vehicle Code Section 21101(e). The extension of the SFB Closure Proclamation contained in this First Amendment is being issued pursuant to the authority vested in the Director of Emergency Services under Burbank Municipal Code Section 5-2-106 and is reasonably related and necessary to the protection of life and property as affected by the spread of COVID-19.

The Director of Emergency Services of the City of Burbank does hereby order the following within the City Burbank:

1. Section 13 of the SFB Closure Proclamation is amended to read as follows:

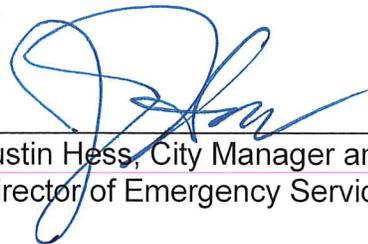
“This Order is effective immediately and shall remain in effect until 11:59 p.m. on October 4, 2020, unless terminated sooner or extended by further order of the Director of Emergency Services or the City Council.

2. All other sections and provisions of the SFB Closure Proclamation not inconsistent with this First Amendment shall remain in full force and effect.

3. Pursuant to Burbank Municipal Code Section 5-2-301, it is unlawful to commit any act forbidden by the SFB Closure Proclamation or this First Amendment thereto. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code including violating the SFB Closure Proclamation or this First Amendment may be guilty of a misdemeanor pursuant to Burbank Municipal Code Section 1-1-105.

4. If any section, subsection, sentence, clause or phrase of this First Amendment is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Order.

DATED this 25th day of August 2020.



Justin Hess, City Manager and
Director of Emergency Services