

A PROCLAMATION BY THE DIRECTOR OF
EMERGENCY SERVICES ORDERING THE
WEARING OF FACE COVERING AT PUBLIC
MEETINGS TO PREVENT THE SPREAD OF COVID-
19

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

- A. On March 13, 2020, a local emergency was declared in the City of Burbank due to the COVID-19 pandemic. On March 17, 2020, the City Council, by Resolution No. 20-29,135, confirmed the existence of the local emergency and has continued to reconfirm its existence pursuant to state law.
- B. On March 19, 2020, Los Angeles County Public Health issued an Order entitled Safer at Home for Control of COVID-19 (Order including all updates). This Order encompassed rules for events and gatherings, social distancing and closure of non-essential businesses and areas, as well as listing categories of essential businesses allowed to stay open under the Order. The City of Burbank is subject to this Order. Also, on March 19, 2020, the Governor issued an executive order like the Safer at Home Order.
- C. The Order's intent was to protect the public from the avoidable risk of serious illness and death resulting from the spread of COVID-19. The Order found sustained Social (Physical) Distancing and infection control measures will continue slowing the spread of COVID-19 and diminishing its impact on the delivery of critical healthcare services.
- D. The Order provided the following relating to face coverings: “[r]equires all persons wear a cloth face covering over both the nose and mouth whenever they leave their place of residence and are or can be in contact with or walking near or past others who are non-household members in both public and private places, whether indoors or outdoors. This includes wearing a cloth face covering when patronizing a business. Wearing a cloth face covering reduces the risk of transmission to others from people who do not have symptoms and do not know they are infected. The use of face coverings is commonly referred to as "source control.””
- E. In a July 14, 2020 press release, the CDC affirmed that cloth face coverings are a critical tool in the fight against COVID-19 that could reduce the spread of the disease, particularly when used universally within communities. According to the CDC, there is increasing evidence that cloth face coverings help prevent people who have COVID-19 from spreading the virus to others. CDC Director Dr. Robert R. Redfield stated:
“We are not defenseless against COVID-19. Cloth face coverings are one of the most powerful weapons we have to slow and stop the spread of the virus – particularly when used universally within a community setting. All Americans have a responsibility to protect themselves, their families, and their communities.”

F. On May 5, 2021, the City of Burbank terminated its Order requiring the wearing of a face covering in certain places to prevent the spread of COVID-19. The termination of the Order was due to the loosening of restrictions by the County, largely attributed to the decrease in infection rates and hospitalizations and increased percentage of vaccinations.

G. Since then, however, the County is once again seeing an increase in infection rates and hospitalizations due to COVID-19 and its highly infectious subvariants, such as Omicron and its closely related variant, BA.4.

H. The County's Order allows local public entities, like the City, to issue stricter limitations than the County. The purpose of this proclamation is to prevent the spread of COVID-19 to and among officials, staff, and members of the public who participate in public discourse through attendance at public meetings.

I. The rules and regulations contained in this proclamation are being issued pursuant to the authority vested in the Director of Emergency Services under Burbank Municipal Code Section 5-2-106; and are reasonably related and necessary to the protection of life by assisting in stopping the spread of COVID-19.

The Director of Emergency Services of the City of Burbank does hereby proclaim the following rules and regulations are instituted within the City of Burbank concerning the wearing of face coverings in certain places.

1. Face Coverings, which securely cover the mouth and nose, shall be worn under the following conditions:

A. While in attendance at public meetings of the City of Burbank, including but not limited to, meetings of the City Council and its Boards and Commissions.

2. Face covering requirements shall not apply to the following:

A. Persons younger than two years old;

B. Persons who have been instructed by a medical provider not to wear a face covering due to a medical condition, mental health condition, or disability that prevents wearing a face covering;

C. Persons who are hearing impaired, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication;

3. For purposes of this proclamation "face covering" means fabric coverings, such as cloth masks, scarves, bandanas, tightly woven fabric such as cotton t-shirt, and some types of towels that cover the nose and mouth. Medical-grade masks and N-95 respirators are not required.

4. Pursuant to BMC Section 5-2-301 it is unlawful to commit any act forbidden by this Proclamation. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code including violating this Proclamation may be guilty of a misdemeanor pursuant to Burbank Municipal Code Section 1-1-105. Notwithstanding the foregoing, a violation of this Proclamation shall be enforced through issuance of an administrative citation pursuant to BMC Section 1-108.1. In issuing an administrative citation to enforce the orders herein, the citation should reference a violation of BMC § 5-2-301 (B).

5. This Proclamation is effective immediately and shall remain in effect until terminated by further order of the Director of Emergency Services or the City Council.

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

DATED this 15th day of July 2022.


Justin Hess, City Manager and
Director of Emergency Services