City of Hawthorne
City Manager’s Office

Extension of Amended Administrative Order Regarding Effects of Covid-19 and the City’s Efforts to Address Consequences of Restaurant Closures and Limitations on Re-Opening and Expanding Opportunities for Outdoor Dining in Required Parking Areas

Issued: June 10, 2020
Amended: July 31, 2020
Amended: August 12, 2020
Amended: February 3, 2021

By virtue of the authority vested in me as City Manager of the City of Hawthorne pursuant to the provisions of the Hawthorne Municipal Code, Chapter 2.16, to promulgate, issue, and enforce rules, regulations, orders and directives, I hereby declare the following orders to be necessary for the protection of life and liberty. This Order will take effect immediately and remain in effect until the current COVID-19 emergency is terminated by City Council Resolution.

This Administrative Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, the March 4, 2020 declaration of a public health emergency issued by the Los Angeles County Board of Supervisors and Los Angeles County Health Officer, and the March 17, 2020, Confirmation of a Local Emergency issued by the Hawthorne City Council on March 15, 2020.

On May 29, 2020, the Los Angeles County Health Officer issued “Reopening Safer at Work and in the Community for Control of COVID-19” Order which applies to all cities in Los Angeles County (including the City of Hawthorne), except the cities of Pasadena and Long Beach. This Order is intended to supplement and further clarify the Los Angeles County Health Officer’s Order, as amended, with the City of Hawthorne.

California is monitoring COVID-19 closely in each local community and keeping the public informed. The State Public Health Officer may take action, based on the State’s collection of local data. Counties on the County Monitoring List for 3 consecutive days may be required to close certain operations.
1. As a result of staying three (3) consecutive days on the County Monitoring List, Governor Newsom ordered that “dining-in” be suspended for all restaurants in Los Angeles County.

2. The City of Hawthorne currently permits “outdoor dining” by way of an “outdoor dining permit” and/or “encroachment permit.” The Hawthorne Municipal Code provides: “Outdoor dining, as an accessory to a permitted restaurant, café, or other establishment that offers food or drinks for on-site consumption, shall require approval of an outdoor dining permit pursuant to Chapter 17.06. The planning director shall review the application to ensure compatibility with the surrounding area and the protection of health, safety and the general welfare and may further condition the approval to limit the location, size, arrangement, hours of operation and other reasonably related aspects of outdoor dining. Outdoor dining in the public right-of-way shall also be subject to an outdoor dining encroachment permit pursuant to Title 12 of this code.”

3. To ensure continued restaurant patronage as a service to the public, both customers and business owners, and while maintaining public health and safety, restaurants with current outdoor dining permits within the PROW or private property may utilize required parking spaces for outdoor dining, in an amount/percentage and location to be determined, on a case by case basis, by the Planning Director based on health and safety considerations, in addition to any parking areas in excess of required parking spaces and any other private property that are open to the public, subject to the following limitations:

   a. Permittees must ensure that ingress/egress is not blocked or vehicular traffic is not obstructed.

   b. Permittees must include buffers between streets and parking areas for pedestrian safety, including cordonning off outdoor dining areas with tape, rope or other divider for safety of patrons.

   c. Fire access or hydrants may not be blocked.

   d. Parking for compliance with ADA requirements cannot be utilized for outdoor dining.

   e. Permittees must comply with all requirements of the Hawthorne Municipal Code, including, but not limited to, noise and amplified music prohibitions.

   f. If portions of shared parking lots will be utilized for outdoor dining, all tenants must agree and apply, with owner authorization.
g. Only temporary seating is permitted; no permanent seating may be installed in parking areas.

h. Any canopies or similar equipment must remain unenclosed and, in all other respects, comply with guidelines set by the State and County, regarding circulation, if any.

4. Restaurants and other food establishments that are not presently authorized to conduct any outdoor dining service may apply to utilize required parking spaces for outdoor dining, in an amount/percentage and location to be determined, on a case by case basis, by the Planning Director based on health and safety considerations, in addition to any parking areas in excess of required parking spaces and any other private property that are open to the public, consistent with the limitations contained in this Order. Such applications will be expedited.

5. In addition to the C-2 Zone (Local Commercial Classification) and Regional Commercial Classification Zone, so long as not inconsistent with the General Plan, the Planning Director may permit outdoor dining in other zoning classifications and Specific Plans (non-overlay).

6. Restaurants and other food establishments with a valid permit to conduct outdoor dining within the Public Right-of-Way (PROW) that expire 2020 or 2021 (prior to June 30, 2021) may continue outdoor dining services in compliance with their encroachment permit and with any applicable Los Angeles County permit(s), so long as all requirements in the City of Hawthorne Municipal Code continue to be adhered to, through June 30, 2021.

7. City fees, including Planning and Public Works fees associated with all outdoor dining, are hereby waived through June 30, 2021. Requirements pertaining to the outdoor dining encroachment permit related to health and safety and liability, such as maintenance of insurance requirements, continue to apply and cannot be waived.

8. Banners advertising outdoor dining, take-out and delivery will be permitted without the necessity of any permitting or additional fees.

9. Employees are to be screened for symptoms of COVID-19 before entering the workspace in accordance with the County Department of Health Entry Screening guidance.

10. Face shields are to be provided and worn by employees who may come into contact with customers. The face shield is to be worn in addition to the cloth face covering.

11. Tables in the outdoor seating areas must be arranged to allow for 8 feet distance between tables, measured from one table edge to the next table edge.

12. Outdoor table seating is limited to 6 per table. All people seated at a table must be members of the same household. They do not need to be 6 feet apart.
13. Televisions or any other screens that are used to broadcast programming must be removed from the area or turned off.

14. No receptions, banquets, or other coordinated, organized or invited events or gathering are allowed.

15. To be considered an Outdoor Dining, the facility must allow for the free flow of outdoor air through the entire space, as specified in the California Department of Health’s mandatory guidance on Use of Temporary Structures for Outdoor Business Operation. Partitions or barriers when less than 3 feet in height and not impeding air flow are not considered to close sides.

16. There must be a posted signs stating that everyone sharing a table must be from the same household.

17. Each table must have a sign or a card (no smaller than 3x5 inches) stating the following:
   - Keep mask on until food or drinks are served and after finishing eating/drinking.
   - Put on mask whenever a server approaches your table.
   - Put on mask when leave your table.
   - Wash or sanitize your hands.

A violation of any of the above prohibitions constitutes a misdemeanor under the Hawthorne Municipal Code and is punishable by fines not to exceed $1,000 or imprisonment not to exceed six months.

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Erick B. Lee
City Manager
City of Hawthorne

February 3, 2021