STATEMENT ON THE SUBJECT:
In order to keep essential workers and shoppers safe during the COVID-19 public health emergency, the City Council will consider requiring grocery stores in the City to have a person posted at the entrance during hours of operation to enforce relevant public health requirements – including masks, social distancing, occupancy limits, etc.

RECOMMENDATIONS:
1. Direct the City Attorney to draft an ordinance for consideration at the next City Council meeting to require grocery stores to have a person posted at the entrance during hours of operation to enforce relevant public health requirements (e.g. masks, social distancing, occupancy limits, etc.).

2. Before the ordinance goes into effect, direct staff to outreach to grocery stores to provide information about the upcoming requirements and guidance on compliance.

BACKGROUND / ANALYSIS:
Grocery stores have remained open throughout the COVID-19 pandemic, providing essential services to the general public. Los Angeles County Department of Public Health has issued guidance to assist owners of supermarkets and convenience stores to remain in compliance with the County of Los Angeles Health Officer Order. The intent of these guidelines is to lower the risk of exposure to both customers and employees. Stores have taken extensive actions to prevent the spread of COVID-19 and keep the community healthy, including installing partitions, reconfiguring lines, extensive regular sanitation, and mandatory facial coverings for employees and customers.

Some grocery stores have experienced individuals defying public health orders either intentionally or accidentally by not wearing masks, not social distancing, or overcrowding in the stores. Grocery workers report that customers often do not wear masks as they enter stores, and that at certain times of the day stores are too crowded to enforce social distancing. There have been issues throughout California, including the Los Angeles
area, with individuals refusing to abide by the facial covering mandates. These protestors either attempt to enter a store without a mask or after entering with a mask intentionally take it off to shop or check-out. These actions are unlawful and can be dangerous for other customers and essential workers. In some cases, if people are intentionally not wearing masks or defying other public health orders, it could lead to incidents of verbal and physical assaults on employees, altercations between customers, or involvement of law enforcement.

In order to assist in keeping essential workers and customers safe, this item recommends the City Council adopt an ordinance to require grocery stores to post someone at entrances during operating hours to enforce relevant public health requirements. The purpose of this requirement is to protect essential workers and customers from potential risk and exposure. The person posted at the entrance could be a store employee, security guard, or other person hired and trained on the public health orders. The person would ensure people are entering the store wearing a mask and ensure proper distancing guidelines are followed. This person would also ensure grocery stores remain below the capacity requirements, which is currently 50 percent capacity in Los Angeles County. If there is an issue, the person posted at the entrance would be trained to call the Sheriff’s Department or City Code Compliance Division as appropriate if additional support is needed.

Some grocery and retail stores in West Hollywood may already have something in place that is similar to this proposed requirement. Retail employers have the responsibility to protect their employees while they are at work. In addition to appropriate signage, a trained person at the entrances will help ensure mask compliance and proper occupancy and reduce the risks to workers and customers.

The City of West Hollywood is making every effort to respond to community needs during the COVID-19 public health emergency and keeping the health and safety of people in West Hollywood as its first priority. The City of West Hollywood has had a mandatory face covering requirement in effect since Saturday, May 23, 2020. The State of California and County of Los Angeles have also directed the use of face coverings in public. When in public, community members should maintain their space with social (physical) distancing of at least six feet, and cover their face to adhere to City, County, and State requirements for the use of face coverings.

CONFORMANCE WITH VISION 2020 AND THE GOALS OF THE WEST HOLLYWOOD GENERAL PLAN:

This item is consistent with the Primary Strategic Goal(s) (PSG) and/or Ongoing Strategic Program(s) (OSP) of:

- OSP-7: Collaborative Public Safety.
- OSP-11: Community Education.
In addition, this item is compliant with the following goal(s) of the West Hollywood General Plan:

- G-2: Maintain transparency and integrity in West Hollywood’s decision-making process.

**EVALUATION PROCESSES:**

N/A

**ENVIRONMENTAL SUSTAINABILITY AND HEALTH:**

This action has direct impacts on the health and well-being of residents and visitors of West Hollywood.

**COMMUNITY ENGAGEMENT:**

Before the ordinance goes into effect, staff will perform outreach to grocery stores to ensure they are aware of the new requirements and have the necessary information to comply.

**OFFICE OF PRIMARY RESPONSIBILITY:**

CITY MANAGER’S DEPARTMENT / CITY ATTORNEY’S OFFICE
DEPARTMENT OF PUBLIC WORKS / CODE COMPLIANCE DIVISION

**FISCAL IMPACT:**

None at this time.