



**ORDER OF THE DIRECTOR OF EMERGENCY SERVICES SUSPENDING
SECTION 13.04.170 OF THE DANA POINT MUNICIPAL CODE AND
AUTHORIZING THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN
PUBLIC PLACES**

WHEREAS, Section 2.20.030 of the Dana Point Municipal Code designates the City Manager as the City's Director of Emergency Services;

WHEREAS, on March 16, 2020, pursuant to the authority granted under section 2.20.060 of the Dana Point Municipal Code, the Director of Emergency Services proclaimed the existence of a local emergency in the City (the "Emergency Declaration") due to the novel coronavirus (COVID-19) and such Emergency Declaration was ratified by the City Council on March 17, 2020;

WHEREAS, due to COVID-19, the City is facing conditions of extreme peril, as described in the proclamation, requiring the City's strict adherence to all social distancing requirements in order to protect the health, safety, and welfare of the community;

WHEREAS, as of December 7, 2020, a Regional Stay Home Order became effective in Orange County per an Order of the Governor;

WHEREAS, the Regional Stay Home Order encourages the public to maintain physical and mental health by safely going outdoors;

WHEREAS, the City desires to enhance opportunities for the public, especially members of the same household, to take advantage of outdoor activities, including by dining in public places, by eliminating regulatory barriers that might otherwise exist;

WHEREAS, Dana Point Municipal Code Section 2.20.200, and the Emergency Declaration, authorize the Director of Emergency Services to make, issue, and enforce rules and regulations on matters reasonably related to the protection of life and property as affected by the local emergency proclaimed in the Emergency Declaration;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED THAT:

Section 1: Section 13.04.170 of the Dana Point Municipal Code is suspended subject to the limitations set forth herein; and, further, alcoholic beverages may be consumed on publicly owned property within the City of Dana Point between the hours of 6am and 10pm, also subject to the limitations set forth herein.

Section 2: Notwithstanding Section 1 above, alcoholic beverages may not be consumed outdoors, on public property, within 100 feet of a church or public school.

Section 3: Notwithstanding Section 1 above, alcoholic beverages may not be consumed outdoors, on public property, if food is not being consumed at the same time as

ORDER OF THE DIRECTOR OF EMERGENCY SERVICES
PAGE 2

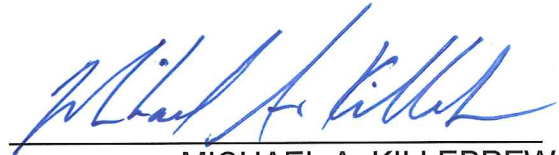
the alcoholic beverage is being consumed.

Section 4: Nothing in this order is intended to, or shall permit persons to be intoxicated in public, create nuisance issues or violate any provision of the State Vehicle Code or Penal Code.

Section 5: Any violation of this Order is a misdemeanor as provided by Section 2.20.220 of the Dana Point Municipal Code.

Section 6: Nothing herein is intended to or shall be interpreted to allow any activity that is not allowed under all operative Orange County Public Health Orders.

IT IS FURTHER PROCLAIMED AND ORDERED that this Order, issued on this 7th day of December 2020, shall be effective immediately.



MICHAEL A. KILLEBREW
DIRECTOR OF EMERGENCY SERVICES

Dated: December 8, 2020