



City of Montclair Emergency Directive No. 02

March 19, 2020

SUBJECT: IMPLEMENTATION OF MANDATORY POLICIES RELATED TO ABATEMENT OF EXTERIOR STORE LINES NOT IN COMPLIANCE WITH GATHERING GUIDANCE PROVISIONS

On Monday, March 16, 2020, the Montclair City Council adopted Resolution No. 20-3263 declaring a local public health emergency in the City of Montclair in relation to the Novel Coronavirus (COVID-19).

In declaring a local public health emergency, the City Council invoked Section 6.080.060 of Chapter 6.08 of Title 6 of the Montclair Municipal Code providing that the City Manager, as Director of Emergency Services, is empowered to "*make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency.*"

By virtue of authority vested in me as Director of Emergency Services, pursuant to Section 6.080.060 of Chapter 6.08 of Title 6 of the Montclair Municipal Code, and to preserve community health and avoid panic and other potential forms of civil unrest, I hereby declare and order the following to be necessary for the protection of life and property in the City of Montclair:

1. Long lines at stores with shoppers waiting to enter to make purchases represent a violation of Gathering Guidance and social distancing provisions issued by the Centers for Disease Control and Prevention (CDC), California Department of Public Health, and San Bernardino County Health Department. Accordingly, and until further notice, any store in the City of Montclair consistently experiencing long lines of shoppers waiting to enter to make purchases shall implement the following scheduled store-entry system, as applicable:
 - a. Implement a scheduled daily store-entry system that spreads shoppers throughout the store's daily operating hours; or
 - b. Alternatively, implement a scheduled store-entry system based on a pattern of odd-and-even day store entries.
 - c. The scheduled store-entry system may be based on the alphabetical grouping of shoppers based on the *first letter of the last name of the shopper*, as evidenced on a picture identification card for the shopper, including a state-issued driver's license, state-issued identification card, or store membership card; or other store-entry system as designed by store management/ownership.
 - d. If the scheduled store-entry system is based on an alphabetical grouping of shoppers as determined by store management/ownership, store management/ownership may follow a procedure similar to the following:
 - i. For a scheduled daily store-entry system, shoppers with last names that start with "A" through "C" may be permitted store entry beginning at 9 a.m., each day of the week. A similar pattern would be followed for additional alphabetical groupings; e.g., "D" through "F", would be allowed entry at 10 a.m., "G" through "I", would be allowed entry at 11 a.m., etc. The time of entry and the defined alphabetical groupings shall be left to the discretion of store management/ownership.

- ii. If store management/ownership elects to use an odd and even day store-entry system, shoppers with last names starting with "A" through "L" of the alphabet, for example, would be provided entry on odd days of each week, and shoppers with last names starting with "M" through "Z" of the alphabet would be provided entry on even days of each week.
2. A scheduled store-entry system designed pursuant to this Emergency Directive shall allow each alphabetic grouping of shoppers the opportunity to enter the store on either a Saturday or Sunday of each week, or both, in addition to Monday through Friday shopping hours.
3. Nothing in this Emergency Directive prohibits store management/ownership from repeating the selected pattern of scheduled store-entry multiple times per day, provided that each alphabetical grouping, or other standard selected by store management/ownership, provides shoppers at least 30 minutes before the next scheduled store-entry of shoppers. The time of entry, the alphabetical breakdown of shoppers, or other store-entry system is left to the discretion of store management/ownership, provided the objective of this Emergency Directive is accomplished: *to eliminate Gathering Guidance violations and prevent the potential for panic shopping and civil unrest.*
4. Under this Emergency Directive, shoppers are not limited on time spent in the store, except by policy of store management/ownership.
5. Each shopper may be accompanied by no more than one (1) adult companion (18-years of age or older); however, there is no restriction on the number of accompanying individuals under the age of 18, provided that the purpose and intent of the companions is *not* to undermine the purpose and intent of this Emergency Directive. Shoppers contravening this Emergency Directive are in *violation* of Chapter 6.08 of the Montclair Municipal Code, and violations should be reported to the Montclair Police Department.
6. Store management/ownership may provide more flexible shopping hours for business accounts; provided the in-store shopping be for the exclusive benefit of the represented business.
7. For stores that operate a pharmacy, optical or hearing aid division, either store owned or by a vendor not owned by the store, store management/ownership shall establish protocols for allowing individuals to enter the store at any time during normal pharmacy, optical or hearing aid division business hours for the exclusive purpose of acquiring or fulfilling pharmaceutical, optical or hearing aid prescriptions from the in-store pharmacy, optical or hearing aid division.
 - a. Persons entering the store under this provision, including any accompanying adult or person under the age of 18, shall not be permitted other store shopping privileges, except as provided by the established and scheduled store-entry system as required pursuant to this Emergency Directive and as implemented by store management/ownership.
 - b. Store management/ownership shall establish a protocol to identify those individuals entering the store under this provision.
8. The scheduled store-entry system hours implemented by store management/ownership shall be advertised on MINIMUM SIZE 20" x 30" POSTERS, using no less than one-inch font, and mounted on the MAIN ENTRY DOOR FOR EACH respective business.
9. Businesses in Montclair subject to this Emergency Directive shall continue to comply with special daily hours of operation and pickup service for categories of individuals provided for in City of Montclair Emergency Directive No. 01.
10. Store management/ownership of a business in Montclair subject to this Emergency Directive proposing alternative policies to eliminate violations of the Gathering Guidance requirements shall contact the Office of the City Manager/Director of Emergency Services at (909)-625-9497, and provide a copy of the alternative policy.

11. This Emergency Directive *shall not* be interpreted to impact the number of shoppers in a store *or* those shoppers standing in check-out lines, product return lines, product pickup lines, help lines, *and* special order lines, as the Gathering Guidance requirements do not presently address limitations on shopping within the physical interior space of stores; however, to the extent practicable, and excluding "family groups", stores subject to this Emergency Directive shall maintain social distance separation requirements of at least 6 feet in check-out lines, product return lines, product pickup lines, help lines *and* special order lines.
12. To provide for the effective implementation of this Emergency Directive, each store subject to this Emergency Directive shall sequester high-demand products and merchandise and ration their distribution to ensure adequate supplies throughout each operational day of the adopted store-entry system.
13. If store management/ownership of a business in Montclair subject to this Emergency Directive believes conditions that led to violations of the Gathering Guidance requirements *no longer exist*, store management/ownership may contact the Office of the City Manager/Director of Emergency Services at (909)-625-9497 to request relief from this Emergency Directive.
14. Store management/ownership shall implement provisions of Emergency Directive No. 02 as soon as possible after receipt of this Emergency Directive, but no later than **MONDAY, MARCH 23, 2020**.
15. Provisions of Montclair Emergency Directive No. 02 shall remain in effect until rescinded.

BY ORDER OF

A handwritten signature in black ink, appearing to read 'Edward C. Starr', written in a cursive style.

Edward C. Starr, Director
Emergency Services
City of Montclair