

**AMENDMENT NO. 1 TO THE  
DECLARATION OF THE DIRECTOR OF  
EMERGENCY SERVICES OF THE CITY OF  
SAN LEANDRO SUSPENDING  
ENFORCEMENT OF CERTAIN PROVISIONS  
IN LAND USE PERMITS AND APPROVALS  
AND ZONING AND ENCROACHMENT  
REQUIREMENTS IN THE SAN LEANDRO  
MUNICIPAL CODE**

The Declaration of the Director of Emergency Services of the City of San Leandro Suspending Enforcement of Certain Provisions in Land Use Permits and Approvals and Zoning and Encroachment Requirements in the San Leandro Municipal Code related to the COVID-19 Relief Temporary Outdoor Facilities Program, dated June 17, 2020 is hereby administratively amended pursuant to the authority of City Manager, Jeff Kay, as Director of Emergency Services.

The following sections of Exhibit A – Conditions and Limitations for Use of Private Property, and Exhibit B – Conditions and Limitations for Use of Abutting Public Sidewalk shall be amended:

**Section 2 – Eligible Businesses**

The following additional uses shall be eligible to use an Outdoor Business Area under these regulations:

- Bars (subject to applicable approvals, including that of the California Department of Alcoholic Beverage Control (ABC))
- Hair Salons and Barbershops (subject to applicable health regulations)

**Section 5 – Registration Process**

Bars may not begin temporary outdoor operations until the Community Development Department has confirmed approval of the proposed outdoor seating area and operations plan by applicable organizations, including the California Department of Alcoholic Beverage Control (ABC). Bar operations must comply with applicable regulations and conditions, including, but not limited to, those of the Alameda County Department of Public Health, Alameda County Department of Environmental Health, and California Department of Alcoholic Beverage Control.

NOW, THEREFORE, I, Jeff Kay, as Director of Emergency Services, declare that the City shall, subject to the conditions and limitations contained in Exhibit A and Exhibit B hereto, which are incorporated herein and shall constitute part of this regulation, suspend enforcement of provisions contained in land use permits or other planning approvals and the provisions of the San Leandro Zoning Code or Municipal Code, including, without limitation, those contained in Title 5, that are in conflict with the terms of this regulation. This regulation shall apply only to businesses operating from a building within the City; mobile businesses of any type are not covered by this regulation. Except as expressly exempted in Exhibit A or Exhibit B, businesses shall continue to comply with all other

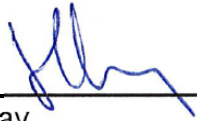
requirements in their approved land use permits or other planning approvals and applicable City, County, State and Federal laws, orders and regulations, including, without limitation, Orders from the County of Alameda Health Officer, the California Retail Food Code, the California Alcoholic Beverage Control Act and regulations and notices issued by the California Department of Alcoholic Beverage Control (ABC), the San Leandro Fire Code, the San Leandro Building Code and the Americans with Disabilities Act (ADA); and

I DECLARE, that this regulation shall become effective as of 12:01 a.m. on July 24, 2020 and remain in effect until December 31, 2020, or the termination of the local state of emergency, whichever occurs first; or as otherwise terminated, modified or extended by the San Leandro City Council; and

I DECLARE, any violation of this regulation shall be subject to enforcement and penalty as provided under San Leandro Municipal Code Chapter 1-12.

July 23, 2020

Date

  
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Jeff Kay  
Director of Emergency Service

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