



Office of the City Attorney

**Emergency Order No. 10 of the City of Oakland
City Administrator/Director of the Emergency Operations Center**

Whereas, on March 1, 2020, the Alameda County Public Health Department, and on March 4, 2020, Governor Gavin Newsom, declared local and state public health emergencies due to the spread of COVID-19 locally and within the state, pursuant to Health & Safety Code section 101080 and Government Code section 8625, respectively, and

Whereas, on March 9, 2020, the City Administrator in their capacity as the Director of the Emergency Operations Center (EOC), issued a proclamation of local emergency due to the spread of COVID-19 in Oakland, and on March 12, the City Council passed Resolution No. 88075 C.M.S. confirming the existence of the local emergency proclaimed by the City Administrator pursuant to their power under Oakland Municipal Code section 8.50.050(C) to proclaim a local emergency provided that the local emergency proclamation shall remain in effect only if the City Council confirms the existence of the emergency within seven days; and

Whereas, on March 19, 2020, Governor Newsom issued Executive Order N-33-20, ordering “all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors”, and further acknowledged that the “supply chain must continue, and Californians must have access to such necessities as food, prescriptions, and health care”; and

Whereas, the City Administrator in their capacity as the Director of the EOC has authority “to promulgate orders, rules, and regulations on matters reasonably related to the protection of life and property and the preservation of public peace and order, in accordance with Article 14 of the California Emergency Services Act, [and such] rules and regulations must be confirmed at the earliest practicable time by the governing body as required by law; and

Whereas, on March 23, 2020, the Interim City Administrator in their capacity as the Director of the EOC issued an emergency COVID-19 order (Emergency Order of the City of Oakland), which, suspended, among other things, all time-limits and deadlines associated with Rent Adjustment Program petitions, appeals, and other matters set forth OMC 8.22: all time-limits and deadlines associated with Planning and Building Department notices, appeals, enforcement activities, and other matters set forth in Titles 15 and 17; and all time-limits and deadlines associated with Oakland Animal Services notices, appeals, enforcement activities and other matters set forth in OMC Title 6; and

Whereas, on March 27, 2020, the Interim City Administrator in their capacity as the Director of the EOC issued Emergency Order #2 of the City of Oakland which suspended, among other things, all time-limits and procedural deadlines associated with the City’s illegal dumping enforcement programs as set forth in OMC 8.11; and all time-limits and procedural deadlines associated with appeals of citations, violations, and permits under Oakland Municipal Code Chapter 1.08 (Civil Penalties), Chapter 1.12 (Administrative Citations), Chapter 1.16 (Alternative Administrative Procedure for Abatement of Certain Violations), Chapter 5.02 (Permits), Chapter 5.91 (Licensure of Tobacco Retailers), Chapter 8.11 (Illegal Dumping), Chapter 8.24 (Property Blight), Chapter 12.08 (Encroachments), Chapter 12.36 (Protected Trees), and Chapter 12.40 (Hazardous Trees); and

Whereas, on May 13, 2020, the Interim City Administrator in their capacity as the Director of the EOC issued Emergency Order #3 of the City of Oakland rescinding Sections 3 and 4 of the Interim City Administrator’s Emergency Order dated March 23, 2020, and thereby reinstating all previously suspended provisions of Titles 15 and 17 of the OMC and related administrative instructions, regulations and policies; and

Whereas, on August 17, 2020, the City Administrator in their capacity as the Director of the EOC and pursuant to the City Administrator’s authority under OMC 1.08.080B and OMC 1.12.080B, issued Emergency Order #7 which established, among other things, interim rules for conducting administrative appeal hearings via the Zoom application for Civil Penalties, Administrative Citations, Cabaret Licenses, Massage Establishment Licenses, Pawnbroker, Secondhand Dealer, Scrap Dealer, or Scrap Seller Permits, Food Vender Permits, Cannabis Business Licenses, Tobacco Retailer Licenses, Blight Ordinance Violations, Building Maintenance Code Violations, and Fire Code Violations, as set forth in Oakland Municipal Code Chapters 1.08, 1.12, 5.02, 5.36, 5.46, 5.51, 5.80, 5.81, 5.91, 8.24, 15.08, and 15.12, respectively;

Now, Therefore, I, Edward D. Reiskin, City Administrator/Director of the Emergency Operations Center of the City of Oakland, in accordance with the authority vested in me pursuant to Oakland’s Emergency Services Act, Oakland Municipal Code Chapter 8.50, specifically section 8.50.050.C.5.(a), hereby order the following:

1. Section 5 of the March 23, 2020, Emergency Order of the City of Oakland is hereby rescinded as follows:

~~5. All time limits and deadlines associated with Rent Adjustment Program petitions, appeals, and other matters set forth Chapter 8.22 Article I (Residential Rent Adjustment Program) of the OMC and related administrative instructions, regulations and policies are suspended for the duration of the local emergency or until such time as this order is rescinded or the City Council terminates the emergency, whichever is earlier.~~

All previously suspended provisions of OMC Chapter 8.22 Article I (Residential Rent Adjustment Program) and related administrative instructions, regulations and policies are reinstated.

2. Section 8 of the March 23, 2020, Emergency Order is hereby rescinded as follows:

~~8. All time limits and deadlines associated with Oakland Animal Services notices, appeals, enforcement activities and other matters set forth in Chapters 6.04 (Animal Control Regulations Generally) and 6.08 (Potentially Dangerous and Vicious Dogs) of the OMC Title 6 (Animals) and related administrative instructions, regulations and policies are suspended for the duration of the local emergency or until such time as this order is rescinded or the City Council terminates the emergency, whichever is earlier.~~

All previously suspended provisions of OMC Title 6 and related administrative instructions, regulations and policies are reinstated.

3. Section 2 of Emergency Order #2 is hereby rescinded as follows:

~~2. All time limits, appeals enforcement activities and other procedural deadlines associated with the City’s Illegal Dumping enforcement programs, set forth in Oakland Municipal Code, Chapter 8.11, and related administrative instructions, regulations and policies are suspended for the duration of the local emergency or until such time as this order is rescinded or the City Council terminates the emergency, whichever is earlier.~~

All previously suspended provisions of OMC Chapter 8.11 and related administrative instructions, regulations and policies are reinstated.

4. Section 3 of Emergency Order #2 is hereby rescinded as follows:

~~3. All procedural deadlines and time limits associated with appeals of citations, violations, and permits under Oakland Municipal Code Chapter 1.08 (Civil Penalties), Chapter 1.12 (Administrative Citations), Chapter 1.16 (Alternative Administrative Procedure for Abatement of Certain Violations), Chapter 5.02 Permits, Chapter 5.91 (Licensure of Tobacco Retailers), Chapter 8.11 (Illegal Dumping), Chapter 8.24 (Property Blight), Chapter 12.08 (Encroachments), Chapter 12.36 (Protected Trees), Chapter 12.40 (Hazardous Trees), and related administrative instructions, regulations and policies are suspended for the duration of the local emergency or until such time as this order is rescinded or the City Council terminates the emergency, whichever is earlier.~~

All previously suspended provisions of OMC Chapter 1.08 (Civil Penalties), Chapter 1.12 (Administrative Citations), Chapter 1.16 (Alternative Administrative Procedure for Abatement of Certain Violations), Chapter 5.02 Permits, Chapter 5.91 (Licensure of Tobacco Retailers), Chapter 8.11 (Illegal Dumping), Chapter 8.24 (Property Blight), Chapter 12.08 (Encroachments), Chapter 12.36 (Protected Trees), Chapter 12.40 (Hazardous Trees), and related administrative instructions, regulations and policies are reinstated.

5. All reinstated time-limits and deadlines shall run from the date of this order.

I FURTHER DIRECT that as soon hereafter as possible, this Order shall be filed in the Office of the City Clerk, posted on the City of Oakland website, and that widespread publicity and notice of this Order shall be provided to the public.

IN WITNESS WHEREOF I have hereunto set my hand this 20th day of April, 2021



Edward D. Reiskin
City Administrator/Director of Emergency
Operations Center, City of Oakland, California

Attest:



Asha Reed
City Clerk and Clerk of the City Council
City of Oakland, California

Emergency Order #10 rescinding sections of Orders #1 and #2

Final Audit Report

2021-04-21

Created:	2021-04-21
By:	Camille Harvey (camilleharvey@gmail.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAMQ70ah-eB-SZgVtqduTO9aoz68DOVH42

"Emergency Order #10 rescinding sections of Orders #1 and #2" History

-  Document created by Camille Harvey (camilleharvey@gmail.com)
2021-04-21 - 0:02:14 AM GMT- IP address: 69.216.96.227
-  Document emailed to Asha Reed (areed@oaklandca.gov) for signature
2021-04-21 - 0:02:47 AM GMT
-  Email viewed by Asha Reed (areed@oaklandca.gov)
2021-04-21 - 0:03:28 AM GMT- IP address: 8.44.165.140
-  Document e-signed by Asha Reed (areed@oaklandca.gov)
Signature Date: 2021-04-21 - 0:03:44 AM GMT - Time Source: server- IP address: 8.44.165.140
-  Agreement completed.
2021-04-21 - 0:03:44 AM GMT