



REVISED PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY
(by the Director of Emergency Services and ratified
by the City Council on January 10, 2025)

**AN EXECUTIVE ORDER OF THE DIRECTOR OF EMERGENCY SERVICES
OF THE CITY OF SANTA MONICA DECLARING THE EXISTENCE OF A LOCAL
EMERGENCY**

WHEREAS, Section 2.16.060 of the Santa Monica Municipal Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City of Santa Monica is affected or likely to be affected by a public calamity and the City Council is not in session, subject to ratification by the City Council within seven days; and

WHEREAS, the Director of Emergency Services of the City of Santa Monica does hereby find:

That, a life-threatening, destructive, widespread windstorm and extreme fire weather system commenced on Tuesday, January 7, 2025, and is expected at least through Thursday, January 9, 2025, and possibly extending indefinitely, impacting the Los Angeles metropolitan area, including the City of Santa Monica, County and City of Los Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

That the National Weather Service has advised that damaging N/NE gusts of 50-80 mph, as well as isolated 80-100 mph in the mountains and foothills, are expected across most of Los Angeles metropolitan area; and

That on January 7, 2025, the Palisades Fire ignited in Los Angeles County, burning over ~~15,800~~ 20,000 acres as of the time this Proclamation is issued; and

That high winds, low humidity, and dry conditions have increased the intensity and spread of the Palisades Fire, causing imminent threat to life with Red Flag warnings in effect in Los Angeles and Ventura Counties and widespread dangerous windstorm conditions with damaging wind gusts of 50 to 80 mph forecasted; and

That the Palisades Fire and windstorm conditions threaten structures, homes, and critical infrastructure, including power lines and water tanks, and have prompted evacuation orders and warnings and impacted the access route to the Palisades Highlands community; and

That, along with the windstorm, the Palisades Fire has already spread across ~~15,800~~ more than 20,000 acres damaging or destroying structures and prompting evacuation orders and road closures and continue to threaten structures, homes and critical infrastructure; and

That, the National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for 19 million people in the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity and extremely dry vegetation; and

That, this weather system has caused, or is substantially likely to cause, extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire

behavior, impacting significant transportation arteries, requiring long-term repair and threatening the integrity of the critical infrastructure; and

That, based upon the above events, by reason of its magnitude, and the need to protect the health, safety and welfare of the residents and property of the City of Santa Monica, and aid in the assistance of those affected by the Palisade there exists the potential that these events are likely to become beyond the control of the normal services, personnel, equipment and facilities of the regularly constituted branches and departments of the City Government, and that such emergency conditions require the mobilization of mutual aid resources and the ability to coordinate a multiagency response.

That on January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles; and

That, on January 7, 2025, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles to take such steps that are necessary for the protection of life and property

That, on January 7, 2025, the Governor of the State of California declared a state of emergency to make additional resources available; and

That the City of Santa Monica (the "City") has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City's borders; and

That, in consultation with the Chief of Police, it has been determined that in light of the continued threat of theft and looting in areas subject to mandatory evacuation orders, the safety of the public, and public and private property, within the City of Santa Monica, requires the imposition of a curfew within evacuated areas of the City of Santa Monica; and

That California Government Code 8634 empowers the City to promulgate orders and regulations necessary to provide for the protection of life and property during a local emergency, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety; and

That, in the interest of public order and safety, as affected by this emergency, it is necessary to exercise my authority pursuant to Section 2.16.060 of the Santa Monica Municipal Code to issue this order imposing a curfew related to the protection of life and property in certain areas of the City; and

That, on January 7, 2025, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of the Palisades Fire; and

That the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local and state emergency; and

That the above described events are creating conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

That the Palisades Fire has already displaced thousands of residents who are in need of temporary housing; and

That the City's regulations related to home-sharing and residential leases as set forth in Santa Monica Municipal Code Chapters 6.20 and 6.22, and prohibition against stays of longer than 30 days in bed and breakfasts and hotels may impede the ability of residents, landlords and local businesses to house those displaced by the Palisades Fire; and

That tenants who wish to accommodate persons displaced by the Palisades Fire on a temporary basis may be restricted from doing so by lease terms limiting the number of occupants or pets in a residential unit; and

That in areas subject to Mandatory Evacuation Orders and Evacuation Warnings, the risk of fires being started by construction, and in areas subject to Mandatory Evacuation Orders, the risk of fires being started by landscaping activity is unreasonably high and could stretch already limited resources beyond their capacity; and

That the City Council of the City of Santa Monica is not in session and cannot immediately be called into session.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED and restated that a local emergency and now exists throughout the City;

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency, the powers, functions, and duties of the emergency organization of the City shall be as prescribed by federal and state law, and by City ordinances and resolutions of this City.

IT IS FURTHER PROCLAIMED AND ORDERED THAT:

1. Schools, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(11), and Child Care and Early Education Facilities, as that term is defined by

Santa Monica Municipal Code Section 9.51.030(A)(3) that were displaced by the Palisades Fire may operate within the City's non-residential zones on a temporary basis without first obtaining a Conditional Use Permit.

2. Preferential parking rules are hereby suspended for residents that provide accommodations to persons displaced by the Palisades Fire.

3. Enforcement of the provisions of Santa Monica Municipal Code Chapters 6.20, Home-Sharing and Vacation Rentals, and 6.22, Residential Leasing Regulations, as against persons who provide alternative accommodations within the City of Santa Monica to persons displaced by the Palisades Fire only, is suspended.

4. The prohibitions on price gouging for goods and services set forth in Penal Code Section 396 and Santa Monica Municipal Code Section ~~4.36.161~~ 4.32.161, including but not limited consumer goods, emergency cleanup supplies, and repair and reconstruction services, and for housing costs, including hotel and motel rates and rental housing prices, are hereby triggered by this proclamation and shall remain in effect for the time periods set forth in Penal Code Section 396 and Santa Monica Municipal Code Section ~~4.36.161~~ 4.32.161;

5. During the period of the local emergency, no landlord shall endeavor to evict a residential tenant, including but not limited to serving or filing a notice to terminate tenancy or unlawful detainer complaint, based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to a Palisades Fire evacuation order or warning or poor air quality conditions related to the Palisades Fire.

6. A curfew is hereby imposed in the City of Santa Monica in all areas subject to mandatory evacuation order. Pursuant to the curfew, no persons shall be upon the

public streets, avenues, alleys, parks, ways, or any other public place or upon unimproved private real property in the specified areas of the City of Santa Monica between the hours between sunset and sunrise, for so long at the mandatory evacuation order is effective. The City shall take all reasonable measures to provide notice to the public of the existence and terms of this curfew order.

a. The law enforcement personnel of this City along with other law enforcement authorities cooperating with the City are hereby authorized and charged to the extent provided by law with the responsibility of enforcing this curfew, and are further authorized to arrest any such person as does not obey this curfew after due notice, oral or written, has been given to that person.

b. A violation of the curfew shall be punishable as a misdemeanor pursuant to Section 2.16.100(2) of the Santa Monica Municipal Code.

c. The curfew shall also be enforceable through the issuance of administrative citations in accordance with Chapter 1.09 of the Santa Monica Municipal Code. Pursuant to Section 1.09.040 of the Santa Monica Municipal Code, the amount of the fine for a violation of the curfew shall be up to a maximum of \$1,000 per violation. Administrative citation may be issued by and City Officer or employee granted authority to issue written notices to appear pursuant to Santa Monica Municipal Code Section 3.36.090.

d. Law enforcement personnel, firefighting personnel, emergency health care providers, civilians engaged in police or emergency work, individuals traveling to and from work, individuals traveling to and from medical appointments

or to seek medical care, and representatives of the media are exempt from this Order.

7. To avoid sparks that could lead to additional sources of fires,: 1) ~~All previously-issued building permits~~ previously issued to persons other than the City are hereby suspended in ~~for~~ areas subject to mandatory Evacuation Orders or an Evacuation Warning ~~are suspended;~~ and 2) all landscaping activities are hereby prohibited in areas subject to a Mandatory Evacuation Order. The time to complete work under such previously-issued building permits shall be tolled during the period of suspension under this paragraph.

a. Violations of this seventh paragraph shall be enforceable by the Santa Monica Police Department and any City Officer or employee granted authority to issue written notices to appear pursuant to Santa Monica Municipal Code Section 3.36.090 as misdemeanors pursuant to Government Code Section 8665 and Santa Monica Municipal Code Section 2.16.100, or through the issuance of administrative citations in accordance with Chapter 1.09 of the Santa Monica Municipal Code.

b. Pursuant to Section 1.09.040 of the Santa Monica Municipal Code, the amount of the fine for a violation of any provision of this seventh paragraph, the amount of the fine for a violation of the curfew shall be up to a maximum of \$1,000 per violation. Violations of this provision may result in suspension or revocation of any building permit previously issued.

c. Each day or portion of a day that any person violates or continues to violate this seventh paragraph constitutes a separate violation and may be charged and punished separately.

8. In accordance with Santa Monica Municipal Code Section 2.24.240, Procurement for Emergency Needs, the City Manager, the Emergency Services Manager, the Purchasing Agent, or designees delegated in accordance with Section 2.24.240(b) may:

a. Shorten or waive all required notice periods and competitive solicitation procedures set forth in this Chapter;

b. Secure in the open market at the best reasonable price, contracts for public works projects, goods and services;

c. Negotiate or execute such contracts, agreements, applications or other documents with such other federal, state or local agencies or other groups and organizations as are necessary to provide or obtain emergency aid, assistance or services to the City of Santa Monica; and


d. Contract for the immediate expenditure of public funds to safeguard life, health or property.

9. In accordance with Santa Monica Municipal Code Section 2.16.090, any expenditures made in connection with the emergency activities under this Proclamation, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City of Santa Monica.


10. Bed and Breakfasts, as that term is defined by Santa Monica Municipal Code Section 9.51.030(B)(15)(a), and hotels and motels, as that term is defined by Santa Monica Municipal Code Section 9.51.030(B)(15)(b), may allow hotel stays beyond 30 days.

ADOPTED this 10th day of January 2025.

ATTEST:

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NIKIMA NEWSOME
City Clerk
1/10/2025

DocuSigned by:

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By: _____
DAVID WHITE
City Manager
Director of Emergency Services
1/10/2025

This proclamation has been issued in accordance with applicable law and is in effect and carries the force of law until January 15, 2025, on which date it expires unless confirmed and ratified by the City Council.

APPROVED AS TO FORM:
DocuSigned by:

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DOUGLAS SLOAN
City Attorney
1/10/2025