

RESOLUTION NO. 2020-092

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, PROVIDING TEMPORARY RELIEF FROM SECTION 13-331(d)(10) OF THE CITY OF COCONUT CREEK CODE OF ORDINANCES RELATING TO COMMERCIAL LOADING AND UNLOADING OPERATIONS FOR A PERIOD OF 30 DAYS FOR GROCERY STORES, PHARMACIES, AND HARDWARE/HOME IMPROVEMENT STORES, TO ADDRESS IMPACTS RELATED TO THE COVID-19 VIRUS; ENCOURAGING CITY OF COCONUT CREEK GROCERY STORES AND PHARMACIES TO RECOGNIZE THE INCREASED RISKS THE COVID-19 VIRUS POSES FOR SENIOR CITIZENS AND PROVIDE A DESIGNATED "GOLDEN HOUR" AT THE BEGINNING OF EACH BUSINESS DAY WHERE THE STORE IS OPEN ONLY TO PEOPLE AGE 60 OR OLDER, DISABLED VETERANS AND IMMUNOCOMPROMISED INDIVIDUALS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Novel Coronavirus (COVID-19) is a severe acute respiratory illness that can spread quickly among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, the Florida Governor issued Executive Order Number 20-52 on Monday, March 9, 2020 declaring a state of emergency statewide, and authorizing in accordance with Section 252.38, Florida Statutes, each political subdivision within the State to "waive the procedures and formalities otherwise required of the political subdivision by law pertaining to . . . [the] [p]erformance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;" and

WHEREAS, Section 312 of the City of Coconut Creek City Charter authorizes certain emergency measures to be taken under emergency conditions; and

WHEREAS, COVID-19 poses a health risk to Coconut Creek residents, particularly elderly residents and those who are immunosuppressed or otherwise have high-risk medical conditions; and

WHEREAS, minimization of contact is necessary to avoid risk of COVID-19 infection for the residents of the City; and

WHEREAS, the Mayor of the City of Coconut Creek, Florida, proclaimed and declared the existence of a City-wide “**STATE OF EMERGENCY**” and authorized that all proper and lawful actions necessary to swiftly resolve the emergency and return the City to a condition of normalcy shall be taken; and

WHEREAS, the City Commission finds and determines that such relief in the form of an emergency temporary waiver of delivery hours and the encouragement of the provision of a dedicated shopping hour – a “Golden Hour” for people 60 years old or over, disabled veterans, and individuals who are immunocompromised and at increased risk of infection, is in the best interests of the residents of the City of Coconut Creek and serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution.

Section 2: That the City Commission hereby waives the restrictions of Section 13-331(d)(10) of the Code of Ordinances, regarding hours of operation for commercial loading and unloading, for all grocery stores, pharmacies, and hardware/home improvement stores so that they may perform such activities on an as-needed basis without restriction, for a period of thirty (30) days in order to ensure the availability of necessary supplies.

Section 3: That the City Commission strongly urges all grocery stores and pharmacies in the City of Coconut Creek to designate the first business hour of each day as the “Golden Hour” and reserve shopping access during that hour strictly to people 60 years of age or older, disabled veterans and other individuals who are immunocompromised, in recognition of the increased risk to these individuals posed by the COVID-19 virus.

Section 4: That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 5: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this 18th day of March _____, 2020.

Louis Sarbone, Mayor

Attest:

Leslie Wallace May, City Clerk

Sarbone	<u>Aye</u> _____
Rydell	<u>Aye</u> _____
Tooley	<u>Aye</u> _____
Belvedere	<u>Aye</u> _____
Welch	<u>Aye</u> _____