

**RESOLUTION NO. 2020-133**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, PROVIDING FOR A TEMPORARY WAIVER OF THE DURATION AND FREQUENCY LIMITATIONS OF SECTION 16-20 (A)(2) OF THE CITY OF COCONUT CREEK CODE OF ORDINANCES RELATING TO PROMOTIONAL EVENTS, TO ADDRESS IMPACTS ON BUSINESSES, ORGANIZATIONS, AND INSTITUTIONS RELATED TO THE COVID-19 PANDEMIC; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Novel Coronavirus (COVID-19) has had a tremendous impact on the City of Coconut Creek community, including businesses, organizations, and institutions; and

**WHEREAS**, Florida Governor Ron DeSantis issued Executive Order Number 20-52 (EO 20-52) on March 9, 2020, as extended by EO 20-114 on May 8, 2020, declaring a statewide state of emergency, 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**, the Mayor of the City of Coconut Creek, Florida, proclaimed and declared the existence of a City-wide **"STATE OF EMERGENCY"** on March 12, 2020, as continuously extended thereafter 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**, Section 312 of the City of Coconut Creek City Charter authorizes certain emergency measures to be taken under emergency conditions; and

**WHEREAS**, COVID-19 has forced businesses, organizations, and institutions to close partially or completely during various phases of this crisis and to radically change their operating models to survive during this period; and

**WHEREAS**, during the week of April 20, 2020, Governor DeSantis convened the Task Force to Re-Open Florida to evaluate how to safely and strategically re-open the State economy, which Task Force, on May 1, 2020, issued a three (3) phase re-opening plan “Safe. Smart. Step-by-Step. Plan for Florida’s Recovery;” and

**WHEREAS**, on April 29, 2020, Governor DeSantis issued EO 20-112, introducing Phase 1 of the State’s “Safe. Smart. Step-by-Step. Plan for Florida’s Recovery” for all counties in the State of Florida, except Miami-Dade, Broward, and Palm Beach Counties; and

**WHEREAS**, on May 14, 2020, Governor DeSantis issued EO 20-122, permitting Broward County to participate in the Phase 1 re-opening identified in EO 20-112 and any future orders pertaining to Phase 1 or the phased re-opening of Florida; and

**WHEREAS**, on May 21, 2020, Broward County issued Emergency Order 20-12, amended by Emergency Order 20-13 on May 22, 2020, permitting re-opening and allowing every nonprofit, retail, and commercial establishment and any other facility doing business, providing goods or services, or providing an amenity to open and resume operations subject to facial covering requirements and certain use specific guidelines set out in the order; and

**WHEREAS**, the City desires to support its businesses, organizations, and institutions as they transition through the Phases of re-opening as applicable to the City pursuant to state and county orders; and

**WHEREAS**, Section 16-20 (a)(2) of the City of Coconut Creek Code of Ordinances provides for permits for temporary special events for businesses, organizations, and institutions; and

**WHEREAS**, Section 16-20 (a)(2)i. limits individual businesses, organizations, or institutions to a maximum of three (3) special event permits per year, none of which may exceed twenty (20) consecutive days; and

**WHEREAS**, Section 16-20 (a)(2)ii. limits multi-tenant commercial properties to a maximum of twelve (12) special event permits, which may not exceed twenty (20) consecutive days individually or 120 days collectively; and

**WHEREAS**, the City Commission finds and determines that relief from the requirements of Sections 16-20 (a)(2)i. and 16-20 (a)(2)ii. in the form of an emergency temporary waiver of the Special Event duration and frequency limitations of Section 16-20 (a)(2) of the City of Coconut Creek Code of Ordinances for individual businesses, organizations, institutions, and multi-tenant commercial properties, 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 duration and frequency limitations of Section 16-20 (a)(2)i. and Section 16-20(a)(2)ii. of the City of Coconut Creek Code of Ordinances relating to promotional events within the City of Coconut Creek, throughout re-opening Phase 1 and Phase 2 and for a period of thirty (30) days from the implementation of Phase 3 re-opening (the “Waiver Period”) pursuant to state and county emergency orders as applicable within the City of Coconut Creek, subject to the following requirements:

- 1) Compliance with all CDC guidelines including six foot (6’) distancing requirements.
- 2) Compliance with all CDC, State, County and City requirements for wearing facial coverings.
- 3) Compliance with all CDC, State, County and City use-specific occupancy and operational requirements.
- 4) All other permitting, approval, and operational requirements of Section 16-20 of the Coconut Creek Code of Ordinances shall be met.
- 5) Operation of a special event without proper permit approval is prohibited.

**Section 3:** 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 4:** That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this 25<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
Louis Sarbone, Mayor

Attest:

\_\_\_\_\_  
Leslie Wallace May, City Clerk

Sarbone Aye

Rydell Aye

Tooley Aye

Belvedere Aye

Welch Aye