

RESOLUTION NO. 2017-271

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, PROVIDING EMERGENCY 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 NINETY (90) DAY PERIOD DUE TO COMMUNITY NEEDS RELATED TO IMPACTS SUFFERED FROM HURRICANE IRMA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Coconut Creek declared a State of Emergency by proclamation on September 5, 2017, in accordance with Section 2-25 of the City's Code of Ordinances; and

WHEREAS, said Proclamation authorizes such actions that may be necessary to manage such State of Emergency; and

WHEREAS, Home Depot has requested temporary relief from the provisions of Section 13-331(d)(10) of the Coconut Creek Code of Ordinances for commercial loading and unloading operations between the hours of 6:00 a.m. and 9:00 p.m. so that they may serve the community more effectively during the period of recovery from Hurricane Irma; and

WHEREAS, the City Commission finds and determines that such relief in the form of an emergency temporary waiver of delivery hours 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 request for relief from the provisions for hours of operation for commercial loading and unloading has been submitted during a declared State of Emergency through a proclamation dated September 5, 2017.

Section 3: That the City Commission hereby grants relief to Home Depot from the provisions for hours of operation for commercial loading and unloading so that they may perform such activities on an as-needed basis without restriction for a period not to exceed ninety (90) days.

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 _____ day of _____, 2017.

Rebecca A. Tooley, Mayor

Attest:

Leslie Wallace May, City Clerk

Tooley _____
Rydell _____
Sarbone _____
Belvedere _____
Welch _____