

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE CONFIRMING AND RATIFYING THE DECLARATION SUSPENDING COMMERCIAL AND INDUSTRIAL DELIVERY AND LOADING REGULATIONS IN THE SAN JOSE MUNICIPAL CODE ISSUED BY THE DIRECTOR OF EMERGENCY SERVICES

WHEREAS, on March 10, 2020, the City Council of the City of San José (“City”) ratified the Director of Emergency Service’s Proclamation of Local Emergency due to the outbreak of a novel coronavirus in the City; and

WHEREAS, Government Code Section 8634 and Section 8.08.250 of Chapter 8.08 of Title 8 of the San José Municipal Code empower the Director of the Emergency Services (City Manager or Designee) to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; and

WHEREAS, Section 8.08.250 of the San José Municipal Code requires such rules and regulations made and issued by the Director of Emergency Services to be confirmed at the earliest practicable time by the City Council; and

WHEREAS, on March 16, 2020, the Director of Emergency Services issued a Declaration suspending commercial and industrial delivery and loading regulations in the San José Municipal Code, including without limitation those restrictions set forth in Sections 20.50.200 and 20.40.500, so that commercial and industrial deliveries of products to be sold to the public may occur at any time; and

WHEREAS, the associated emergency conditions are on-going and the Declaration should not be terminated at this time;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The Declaration of the Director of Emergency Services suspending commercial and industrial delivery and loading regulations in the San José Municipal Code, including without limitation those restrictions set forth in Sections 20.50.200 and 20.40.500, so that commercial and industrial deliveries of products to be sold to the public may occur at any time, issued on March 16, 2020, is hereby ratified and confirmed.
2. The Declaration shall remain in place until terminated by the Director of Emergency Services, the City Council, or upon the termination or expiration of the Proclamation of Local Emergency.

ADOPTED this ____ day of _____, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk