

**CLICK HERE TO SEE THE COUNCIL MEETING AGENDA
ASSOCIATED WITH THIS EMERGENCY ORDER**

EMERGENCY ORDER NO. 20-20

**AN ORDER OF THE DIRECTOR OF EMERGENCY SERVICES FOR THE CITY OF
VALLEJO ORDERING AN INCREASE IN THE HOURS FOR RETAIL SALE OF
CANNABIS**

WHEREAS, COVID-19, caused by the novel Coronavirus, has spread throughout the United States and frequently causes severe illness and death; and

WHEREAS, the President of the United States has declared a national emergency as a result of the Coronavirus; and

WHEREAS, the Governor of the State of California has declared a state emergency as a result of the Coronavirus; and

WHEREAS, the County of Solano has declared a county-wide emergency as a result of the Coronavirus; and

WHEREAS, the City of Vallejo has declared a City-wide emergency as a result of the Coronavirus on March 16, 2020 by Resolution No.20-026; and

WHEREAS, residents of the state and of the City of Vallejo ("City") have been dramatically impacted by COVID-19 and federal, state and local government responses thereto; and

WHEREAS, businesses in the City of Vallejo including cannabis retailers have lost business income as well as employees as a result of COVID-19 and federal, state and local government responses thereto; and

WHEREAS, the California Code of Regulations section 5403 states that, "A licensed retailer shall sell and deliver cannabis goods only between the hours of 6:00 a.m. Pacific Time and 10:00 p.m. Pacific Time"; and

WHEREAS, section 16.82.060(V)(3)(a)(V)(i) of the Vallejo Municipal Code states "no retail sales of cannabis shall occur, in any form, to anyone between the hours of eight p.m. and nine a.m., except delivery; and

WHEREAS, the City has an important governmental interest in maintaining a thriving business community including cannabis retailers; and

WHEREAS, extending the hours of operation to those hours set forth by state law will also contribute to social distancing and reduction of contact among individuals; and

WHEREAS, the City receives revenue from sales taxes paid by the owners of cannabis dispensaries; and

WHEREAS, Section 2.50.070(D)(1) of the City of Vallejo Municipal Code empowers the Director of Emergency Services to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by any emergency proclaimed by the Director of Emergency Services or by the City Council.

NOW THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED as follows:

Vallejo Municipal Code section 16.82.060(V)(3)(a)(V)(i) is hereby suspended during the existence of this emergency in order to allow retail sales of cannabis, in any form, between the hours of 6:00 a.m. Pacific Time and 10:00 p.m. Pacific Time.

IT IS FURTHER ORDERED that this order shall remain in full force and effect until the City Council determines that the Emergency proclaimed by the City on March 16, 2020 is over.

IT IS FURTHER ORDERED that this order shall be presented to the City Council for ratification at its November 10, 2020 regular meeting.

[SIGNATURES ON FOLLOWING PAGE]

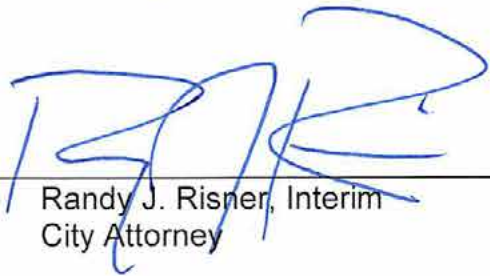
DATED: November 3, 2020

By: 

Greg Nyhoff, Director of
Emergency Services

Approved as to Form:

Dated: November 3, 2020

By: 

Randy J. Risner, Interim
City Attorney