

RESOLUTION NO. _

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, CALIFORNIA REPEALING RESOLUTION NO. 20-63 AND TERMINATING THE TEMPORARY LIMIT ON FEES CHARGED BY THIRD- PARTY FOOD DELIVERY COMPANIES UNDER THE CITY OF GLENDALE EMERGENCY AUTHORITY REGARDING COVID-19; AND FOR OTHER RELATED AND LAWFUL PURPOSES

Whereas, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by the Coronavirus Disease 2019 (COVID-19), a severe acute respiratory illness caused by a novel (new) coronavirus. Symptoms of the virus include fever, cough, and shortness of breath, and infected individuals have experienced a range of outcomes, from mild sickness to severe illness and death; and

Whereas, on March 4, 2020, the Governor of the State of California declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for broader spread of COVID-19; and

Whereas, on March 4, 2020, the Los Angeles County Board of Supervisors and the Department of Public Health declared a local and public health emergency in response to increased spread of coronavirus across the country; and

Whereas, on March 16, 2020, the City Council of the City of Glendale, pursuant to Glendale Municipal Code Chapter 2.84, declared the existence of a local emergency and ordered the closure of and limitation of access to certain public establishments; and

Whereas, the County of Los Angeles Department of Public Health issued a Safer at Home Order, which was revised on May 13, 2020, which required people to remain in their homes subject to certain exceptions including obtaining essential goods such as food and necessary supplies, and requiring the closure of non-essential businesses, until further notice; and

Whereas, to reduce the spread of the virus and protect the public health, the Safer at Home Order prohibited restaurants in the City from offering dine-in service, limiting restaurant delivery and takeout offerings only; and

Whereas, the Council of the City of Glendale adopted Resolution No. 20-63 on June 2, 2020, placing a cap, in the amount of 15% of the amount of an online orders, on all fees charged by third party delivery platforms to restaurants associated with the delivery of food from restaurants to customers, including delivery fees, service fees, and processing fees ("Fee Cap"); and

Whereas, in adopting Resolution No. 20-63, the Council further found that capping the per-order fees at 15% would accomplish the legitimate public purpose of easing the financial burden on struggling restaurants during the COVID-19 emergency while not unduly burdening third-party platforms; and

Whereas, starting in March 2021 and through June 2021, the health orders of Los Angeles County lifted the restrictions on dine-in service, such that in June 2021, restaurants were able to have dine-in service at 100% capacity; and

Whereas, with restaurants in Glendale operating at full capacity, the Council finds that it is no longer necessary to impose a cap on fees that may be charged by third party food delivery service platforms.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE, CALIFORNIA that:

1. Council Resolution No. 20-63 is repealed and shall have no further force or effect; and
2. This Resolution shall take effect immediately upon adoption.

Adopted this 9th day of August, 2022.

Mayor

City Clerk

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)

I, Dr. Suzie Abajian, City Clerk of the City of Glendale, certify that the foregoing resolution was adopted by the Council of the City of Glendale, California, at a regular meeting held on the _____ day of _____, 2022 and that the same was adopted by the following vote:

Ayes:
Noes:
Absent:
Abstain:

City Clerk