CITY OF JACKSONVILLE BEACH, FLORIDA
EMERGENCY ORDER AND REGULATIONS
COVID-19 STATE OF EMERGENCY - MARCH 17, 2020
(Supersedes Emergency Order and Regulations dated March 16, 2020)

WHEREAS, on March 9, 2020, State of Florida Governor Ron DeSantis issued Executive Order No. 20-52 concerning the coronavirus, COVID-19 pandemic, declaring a state of emergency, authorizing local governments to waive procedures and formalities otherwise required by law pertaining to public works and taking any prudent action necessary to ensure the public health, safety, and welfare; and

WHEREAS, on March 13, 2020, the City of Jacksonville Beach ("City"), issued a Declaration of a State of Emergency in the City, to activate emergency and precautionary proactive measures against the health dangers and deadly transmission of COVID-19, and to protect the public health, welfare, and safety of citizens and visitors of the City; and

WHEREAS, on March 16, 2020, the City issued Emergency Order and Regulations that prohibited restaurants and bars from having more than fifty (50) patrons in the establishment at any one time during all hours of operation, and prohibited the establishments from serving, selling or allowing alcohol consumption between the hours of midnight and 8:00 a.m., consistent with an emergency order issued by Mayor Lenny Curry in Duval County; and

WHEREAS, on March 17, 2020, Gov. DeSantis issued Executive Order No. 20-68 that ordered, pursuant to Sections 252.36(5)(g)-(h), Florida Statutes, any licensee authorized to sell alcoholic beverages for consumption on premises that derive more than 50% of its gross revenues from the sale of alcoholic beverages shall suspend all sale of alcoholic beverages for thirty (30) days effective beginning at 5:00 p.m., March 17, 2020; and

WHEREAS, Executive Order No. 20-68 also ordered that pursuant to Section 252.36(5)(g), Florida Statutes, restaurants shall immediately limit its occupancy to 50% of its current building occupancy, shall follow the Centers for Disease Control and Prevention guidance by ensuring, at minimum, a 6-foot distance between any group of patrons and limiting parties to no more than ten (10) individuals, and also particular employee health screening criteria; and

WHEREAS, the City established the City's Municipal Comprehensive Emergency Management Plan codified as City Code Ch. 2, Art. VII, Sec. 2-191 through 2-200; and

WHEREAS, City Code Sec. 2-194(1) authorizes that during a state of emergency, the procedures and formalities otherwise required of the City by law may be waived by the Mayor and City Manager, and may authorize actions pertaining to performing public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community; and

WHEREAS, pursuant to Sections 252.47 and 252.50, Florida Statutes, local law enforcement authorities are required to enforce orders and rules issued during an emergency, including the Governor's Executive Orders, and any person violating an order or rule so issued, or statutes governing emergency management, commits a misdemeanor of the second degree; and

WHEREAS, the City has issued this Emergency Order and Regulations in conformity with Executive Order No. 20-68.

NOW, THEREFORE, I, WILLIAM C. LATHAM, MAYOR OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY CITY CODE CHAPTER 2, ARTICLE VII, SECTIONS 2-193 AND 2-194, AND ALL APPLICABLE LAWS AND ORDERS, DO HEREBY DECLARE AND ORDER:

I. In the City of Jacksonville Beach, any licensee authorized to sell alcoholic beverages for consumption on premises that derive more than 50% of its gross revenues from the sale of alcoholic beverages shall suspend all sale of alcoholic beverages for thirty (30) days effective beginning at 5:00 p.m., March 17, 2020.

II. All restaurants and outdoor restaurants as defined in City Code Sec. 34-41, including any Food Service Establishment, licensed under Chapter 500, Florida Statutes, and Public Food Service Establishment, licensed under Chapter 509, Florida Statues, shall immediately limit their occupancy to 50% of their current building occupancy or to fifty (50) total people (employees and patrons) in the building at any one time during hours of operation, whichever is more stringent; and shall follow the Centers for Disease Control and Prevention guidance by ensuring, at minimum, a 6-foot distance between any group of patrons and limit parties to no more than ten (10) individuals.

III. All businesses, citizens and visitors of the City of Jacksonville Beach are directed to comply with these emergency orders, regulations and measures, and to cooperate with public officials and safety personnel, and to obey and comply with lawful direction of all public officers in executing this order.

IV. These orders and regulations have full force and effect of law. Any person violating any Executive Order cited herein, or this Emergency Order, shall be subject to arrest and criminal prosecution of a misdemeanor of the second degree.

V. This Emergency Order and Regulations supersedes the City's Emergency Order and Regulations dated March 16, 2020, and shall expire in 30 days from this date, unless extended.

IT IS SO DECLARED AND ORDERED THIS 17TH DAY OF MARCH, 2020.

William C. Latham, Mayor

Attest:

Laurie Scott, City Clerk

Approved as to form and legal sufficiency:

Chris Ambrosio, City Attorney