CITY OF JACKSONVILLE BEACH, FLORIDA
EMERGENCY ORDER AND REGULATIONS
COVID-19 STATE OF EMERGENCY -MARCH 16, 2020

WHEREAS, the Centers for Disease Control and Prevention ("CDC") expects widespread transmission of the coronavirus, COVID-19, the pandemic has reached Florida and Duval County; and

WHEREAS, the President of the United States of America, declared a state of national emergency, and Mayor Lenny Curry issued an emergency declaration in Duval County because of COVID-19; and

WHEREAS, on March 9, 2020, State of Florida Governor Ron DeSantis issued Executive Order No. 20-52 regarding COVID-19, declaring a state of emergency in the State, and authorizing in accordance with Section 252.38, Florida Statutes, each local government to waive the procedures and formalities otherwise required of local government by law pertaining to performance of public work and taking whatever prudent action is necessary to ensure the public health, safety, and welfare; and

WHEREAS, the CDC issued guidelines for mitigation strategies to limit the spread of COVID-19, including recommendations for social distancing, limiting movement in the community and face to face contact, and postponing and cancelling gatherings with crowds of greater than 50 people, which have proven to be effective methods for containing COVID-19; and

WHEREAS, many local governments in Florida have issued Emergency Declarations and Regulations that have closed public facilities, set public curfews, closed restaurants and bars, limited the number of patrons, and limited alcohol sales; and

WHEREAS, on March 16, 2020, Mayor Lenny Curry issued an emergency order in Duval County that banned restaurant and bar establishments from having more than 50 people inside at one time, and the sale of alcohol between the hours of midnight and 8:00 a.m., effective at 5:00 p.m., and specifically expressed concern about large crowds at Duval County beaches restaurants and bars; and

WHEREAS, Section 252.38, Florida Statutes, authorizes municipalities to establish a municipal emergency management program, to declare a state of local emergency and to waive the procedures and formalities otherwise required of municipalities by law; and

WHEREAS, the City of Jacksonville Beach ("City") established the City's Municipal Comprehensive Emergency Management Plan ("Emergency Management Plan") as codified in the City's Code of Ordinances Chapter 2, Article VII, Sections 2-191 through 2-200; and

WHEREAS, pursuant to Section 252.38, Florida Statutes, and Secs. 2-192 and 2-193 of the City Code, on March 13, 2020, the City declared a state of emergency in the City due to COVID-19; and

WHEREAS, the City is threatened by COVID-19 because the deadly virus spreads rapidly among humans, and COVID-19 constitutes a clear and present threat to the health, safety, and welfare of the citizens and visitors of the City; 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 Section 252.46(2), Florida Statutes, all orders and rules adopted by the City authorized by the State Emergency Management Act and the City's Emergency Management Plan have full force and effect of law; and

WHEREAS, law enforcement authorities are required to enforce orders and rules issued during an emergency, any person violating an order or rule so issued, or statutes governing emergency management, commits a misdemeanor of the second degree. *F.S. §§252.47; 252.50.*

NOW, THEREFORE, I, WILLIAM C. LATHAM, MAYOR OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY CHAPTER 2, ARTICLE VII, SECTIONS 2-193 AND 2-194 OF THE CITY CODE OF ORDINANCES, AND ALL OTHER APPLICABLE LAWS, DO HEREBY DECLARE, ORDER AND ESTABLISH THAT EFFECTIVE AND COMMENCING AS OF MONDAY, MARCH 16, 2020 AT MIDNIGHT:

I. All restaurants and bars as defined in City Code Sec. 34-41 in the City of Jacksonville Beach: (a) are prohibited from having more than fifty (50) patrons in the establishment at any one time during all hours of operation, and (b) are prohibited from serving, selling or allowing alcohol consumption between the hours of midnight and 8:00 a.m. Each establishment manager shall manage these emergency regulations.

II. 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 in executing emergency plans, and to obey and comply with the lawful direction of all public officers.

III. These orders and rules have full force and effect of law, and shall be strictly enforced. Any person violating any order or rule herein so issued, or certain statutes governing emergency management and planning, shall be subject to arrest and criminal prosecution of a misdemeanor of the second degree.

IV. This Emergency Order and Regulations shall remain in effect for 30 days, up through and including April 16, 2020.

IT IS SO DECLARED AND ORDERED THIS 16TH DAY OF MARCH, 2020.

William C. Latham, Mayor

Attest:

Laurie Scott, City Clerk

Approved as to form and legal sufficiency:

Chris Ambrosio, City Attorney