CITY OF SANIBEL

PROCLAMATION NO. 20-022

AN EMERGENCY PROCLAMATION OF THE MAYOR OF THE CITY OF SANIBEL EXTENDING THE DECLARED STATE OF LOCAL EMERGENCY RESULTING FROM THE OUTBREAK OF THE CORONAVIRUS DISEASE (COVID-19); CANCELLING CERTAIN PUBLIC MEETINGS; EXTENDING CERTAIN EMERGENCY PROHIBITIONS AND RESTRICTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 252.38(3)(a)(5), Florida Statutes, provides authority to a political subdivision of the State of Florida to declare a State of Local Emergency for a period of seven (7) days in order to take whatever action is necessary to ensure the health, safety, and welfare of the community; and

WHEREAS, on March 9, 2020, the Governor of the State of Florida issued Executive Order Number 20-52, declaring a State of Emergency for the State of Florida; and

WHEREAS, on March 18, 2020, the City Council of the City of Sanibel passed Proclamation and Resolution Number 20-011, declaring a State of Local Emergency for the City of Sanibel for a period of seven (7) days, resulting from the outbreak of COVID-19; and

WHEREAS, on March 25, 2020, the City Council of the City of Sanibel passed Proclamation and Resolution No. 20-014, extending for seven (7) days the State of Local Emergency and ratifying the Mayoral Proclamations prohibiting and restricting certain activities; and

WHEREAS, on March 31, 2020, the Mayor of the City of Sanibel issued Proclamation No. 20-017, extending for seven (7) days the State of Local Emergency and extending certain other Mayoral Proclamations prohibiting and restricting certain activities; and

WHEREAS, on April 1, 2020, Governor DeSantis issued Executive Order 20-91, which mandates a safer at home plan for senior citizens and individuals with a significant underlying medical condition, and limits activity outside the home for all persons in Florida to those essential businesses and essential activities for a period beginning at 12:01 a.m. April 3, 2020 through April 30, 2020, unless extended by subsequent order; and

WHEREAS, on April 7, 2020, the Mayor of the City of Sanibel issued Proclamation No. 20-019, extending for seven (7) days the State of Local Emergency and extending certain other Mayoral Proclamations prohibiting and restricting certain activities; and
WHEREAS, on April 10, 2020, Governor DeSantis issued Executive Order 20-103, extending Executive Order 20-87 on Vacation Rental Closures through and until April 30, 2020; and

WHEREAS, on April 14, 2020, the Mayor of the City of Sanibel issued Proclamation No. 20-020, extending for seven (7) days the State of Local Emergency and extending certain other Mayoral Proclamations prohibiting and restricting certain activities; and

WHEREAS, on April 21, 2020, the Mayor of the City of Sanibel issued Proclamation No. 20-021, extending for seven (7) days the State of Local Emergency and extending certain other Mayoral Proclamations prohibiting and restricting certain activities; and

WHEREAS, national, state, and local efforts to limit the spread of COVID-19 have had success, but the threat of new cases of COVID-19 and deaths resulting therefrom still remains, necessitating the extension of the State of Local Emergency beyond its current term expiring April 28, 2020; and

WHEREAS, Section 252.38(3), Florida Statutes, provides certain emergency powers to political subdivisions, including “taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community”; and

WHEREAS, Chapter 22 of the City’s Code authorizes and empowers the Mayor to issue public proclamations declaring a State of Local Emergency; and, during a state of emergency, impose certain prohibitions and restrictions to protect lives and safety, including Section 22-53, which provides that such a proclamation may prohibit or restrict the “operation of offices, business establishments and other places to or from which people may travel or at which they may congregate; and other activities or conditions, the control of which may be reasonably necessary to maintain order and protect lives”; and

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor of the City of Sanibel, Florida:

SECTION 1. Extension of Declared State of Local Emergency. The State of Local Emergency originally declared by Proclamation and Resolution Number 20-11, extended by Proclamation and Resolution 20-014, and extended by Proclamations 20-017, 20-019, 20-020, and 20-021 for all areas within the legal boundaries of the City of Sanibel is hereby extended for a period of seven (7) days from April 28, 2020 through May 5, 2020, and may be further extended, modified or terminated by written Proclamation of the Mayor or by Resolution of City Council.

SECTION 2. Cancellation of Certain Public Meetings. The May 7, 2020 scheduled meetings of the Historical Preservation Committee and the Vegetation Committee are hereby cancelled.

SECTION 3. Extension of Certain Emergency-Related Prohibitions and Restrictions. The emergency-related prohibitions and restrictions as detailed in Proclamation and Resolution 20-014, and in Proclamations 20-015 (as amended by
Proclamation 20-016), 20-016, 20-017, 20-018, 20-019, 20-020, and 20-021 are hereby extended and shall remain in force and effect throughout the duration of the current State of Local Emergency, except as extended, modified or terminated by written Proclamation of the Mayor or by Resolution of City Council. This extension of certain prohibitions and restrictions does not extend the current end date of 11:59 p.m. April 30, 2020, for the rental accommodation-related restrictions in Proclamations 20-016, 20-018, and 20-020, as the decision whether to extend or modify such restrictions shall be made by City Council at its April 29, 2020 special set meeting.

SECTION 4. Necessary for Protection. This Proclamation is an emergency measure necessary for the protection of the public health, safety, and welfare of the community, due to the serious threat of COVID-19.

SECTION 5. Effective Date. This Proclamation shall take effect on April 28, 2020 and shall remain in effect unless extended, modified or terminated by written Proclamation of the Mayor or by Resolution of City Council.

AUTHENTICATION:

Kevin Ruane, Mayor

Pamela Smith, City Clerk 12:48 p.m. (Time)

APPROVED AS TO FORM: John D. Agnew, City Attorney Date