

**CITY OF SANIBEL**

**PROCLAMATION NO. 20-020**

**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); EXTENDING PROCLAMATION NO. 20-016 TEMPORARY RESTRICTIONS ON ACCOMMODATION RENTALS; EXTENDING OTHER 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**, the City's restrictions on "limited rentals" emplaced by Proclamation No. 20-018 extend through April 30, 2020, consistent with Executive Order 20-103; however, the City's restrictions on "unlimited rentals" and other places of public accommodation for lodging emplaced by Proclamation No. 20-016 currently extend only through April 24, 2020; and

**WHEREAS**, the City desires to have consistency with respect to the end-dates for all safety-related lodging restrictions detailed in Proclamations 20-16 and 20-018 and Governor DeSantis' Executive Order 20-103; and

**WHEREAS**, despite the national, state, and local efforts to limit the further spread of COVID-19, diagnosed cases of COVID-19 and deaths resulting therefrom have continued to increase in Southwest Florida, including in Lee County, which fact necessitates the extension of the State of Local Emergency beyond its current expiration of April 14, 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 and 20-019 for all areas within the legal boundaries of the City of Sanibel is hereby extended for a period of seven (7) days from April 14, 2020 through April 21, 2020, and may be further extended, modified or terminated by written Proclamation of the Mayor or by Resolution of City Council.

**SECTION 2. Extension of Proclamation 20-016 Temporary Restrictions on Accommodation Rentals.** The temporary restrictions on "unlimited rentals and other places of public accommodation for lodging emplaced by Proclamation 20-016, Section 1, which would otherwise expire at 11:59 p.m. April 24, 2020, are hereby extended to 11:59 p.m. April 30, 2020, unless further extended. This extension to April 30, 2020 provides

consistency with respect to the safety-related lodging restrictions detailed in Proclamation 20-018 and Governor DeSantis' Executive Order 20-103.

**SECTION 3. Extension of Other 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, and 20-019 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.

**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 14, 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

3:00 p.m.  
(Time)

**APPROVED AS TO FORM:**

  
John D. Agnew, City Attorney

4/13/20  
Date