

CITY OF SANIBEL

PROCLAMATION NO. 20-026

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 CERTAIN 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 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 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, on April 28, 2020, the Mayor of the City of Sanibel issued Proclamation No. 20-022, 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 some success in “flattening the curve” of new cases of COVID-19 and deaths resulting therefrom, which improved position merits the cancellation or modification of certain City-imposed emergency-related prohibitions and restrictions, while recognizing still-existent dangers provide a reasonable basis for the extension of certain other City-imposed emergency-related prohibitions and restrictions; 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:

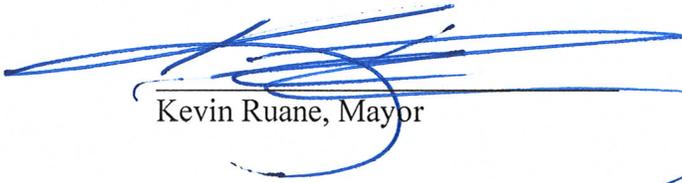
SECTION 1. Extension of Declared State of Local Emergency. The State of Local Emergency originally declared by Proclamation and Resolution Number 20-11 and subsequently extended by Proclamation and Resolution 20-014, and extended by Proclamations 20-017, 20-019, 20-020, 20-021, and 20-022 is hereby extended for a period of seven (7) days from May 5, 2020 through May 12, 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 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 20-016), 20-016 (as amended by 20-23), 20-017, 20-018 (as amended by 20-23), 20-019, 20-020, 20-021, 20-022, and 20-23 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. May 15, 2020 for the rental accommodation-related restrictions in Proclamations 20-016 or 20-018 (both as extended by 20-23).

SECTION 3. 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 4. Effective Date. This Proclamation shall take effect on May 5, 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

3:50 p.m.
(Time)

APPROVED AS TO FORM:



John D. Agnew, City Attorney

5/5/20
Date