CITY OF SANIBEL

PROCLAMATION NO. 20-038

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); 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, since the initial March 18, 2020 Declaration, the Mayor has extended the State of Local Emergency for additional seven (7) day increments by each of the following: Proclamation and Resolution No. 20-014, Proclamation No. 20-017, Proclamation No. 20-019, Proclamation No. 20-020, Proclamation No. 20-021, Proclamation No. 20-022, Proclamation No. 20-026, Proclamation No. 20-027, Proclamation No. 20-029, Proclamation No. 20-035, and Proclamation No. 20-036, extending for seven (7) days the State of Local Emergency and extending certain other Mayoral Proclamations prohibiting and restricting certain activities;

WHEREAS, still-existent dangers from COVID-19 provide a reasonable basis for the extension of the State of Local Emergency; 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 is hereby extended for a period of seven (7) days, from June 16, 2020 through June 23, 2020, and may be further extended, modified or terminated by written Proclamation of the Mayor or by Resolution of City Council.

SECTION 2. 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 3. Effective Date. This Proclamation shall take effect immediately and shall remain in effect through June 23, 2020, 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 9:36 a.m.
(Time)

APPROVED AS TO FORM: _____ 6/16/20
John D. Agnew, City Attorney Date