

CITY OF SANIBEL

PROCLAMATION NO. 20-023

AN EMERGENCY PROCLAMATION OF THE MAYOR OF THE CITY OF SANIBEL RELATING TO THE DECLARED STATE OF LOCAL EMERGENCY RESULTING FROM THE OUTBREAK OF THE CORONAVIRUS DISEASE (COVID-19); EXTENDING CERTAIN PAID BEACH PARKING RESTRICTIONS; EXTENDING AND MODIFYING CERTAIN TEMPORARY RESTRICTIONS ON ACCOMMODATION RENTALS; SUPPORTING AND ADOPTING GOVERNOR DESANTIS' EXECUTIVE ORDER 20-112; 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, 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 Closure of Certain Paid Beach Parking Facilities. Closure of the following beach parking facilities is hereby extended through May 15, 2020, unless extended, modified or terminated by written Proclamation of the Mayor or by Resolution of City Council: Blind Pass, Gulfside City Park (Algiers), Lighthouse Beach and Fishing Pier, and Trost Parking Lot.

