

EMERGENCY EXECUTIVE ORDER NUMBER 2020-8

May 4 2020

To: All Elected Officials, Department Heads, Division Chiefs, Independent Agencies, Authorities, Boards, Commissions, and Councils

From: Lenny Curry, Mayor

Subject: Limited Re-Opening of Retail, Entertainment and Places of Assembly, Rescission of Alcohol Sales Restrictions; Beaches Hours Re-Opened

Pursuant to Section 674.206, Jacksonville Ordinance Code, on March 13, 2020, I issued Emergency Proclamation 2020-001, which proclaimed and declared a public emergency in the City of Jacksonville concerning the threat to the City's citizens, resources and general welfare posed by the COVID-19 pandemic. Once this emergency was declared, Section 674.206, Jacksonville Ordinance Code, grants me the authority to issue such executive orders, proclamations and regulations as I deem reasonable and necessary to fulfill my solemn responsibility to protect the City from this emergency threat. During the term of this emergency period, these emergency executive orders, proclamations and regulations have the full force and effect of law.

The U.S. Center for Disease Control (CDC) continues to provide guidance to reduce introduction of the COVID-19 virus into new communities and to slow the spread of infection in communities already affected by the virus. Because this virus is spread by close social contact, including among individuals who are currently asymptomatic, the Governor and I and thousands of public officials have issued orders to assist in limiting the spread of the virus.

On April 29, 2020, Florida Governor DeSantis executed Governor's Executive Order 2020-112 to adopt Phase 1 of the Governor's Task Force to Re-Open Florida plan. Phase 1 continues to allow Essential Services and Activities to be conducted, but also now allows the re-opening of other types of businesses and services under certain conditions.

Through my Executive Orders, I have restricted certain businesses and prohibited certain gatherings to minimize the potential for the spread of this disease. I have repeatedly encouraged the City's residents to responsibly practice appropriate social distancing and other health-conscious actions. I have also encouraged residents to limit non-essential, public outings and appearances. However, despite these efforts, dangerous social congregations were still occurring. Therefore, in order to reduce the threat of large-scale exposure and to preserve the City's resources for responding to this health crisis, I found it necessary to restrict access to retail, entertainment and places of assembly and to limit the sale and dispensing of alcohol.

The restrictions imposed by my Executive Orders have been necessary to help flatten the curve of citizens diagnosed with COVID-19 in order to limit exposure and help preserve the City's resources and personnel to effectively respond to this medical emergency. While these restrictions have been necessary, I recognize that they have also been a hardship. But they have also been measured and proven to be effective, as Duval County has one of the lowest exposure rates among Florida's largest population centers.

While this crisis has not yet passed us, after consideration of the findings, data and conclusions reached by Governor DeSantis in his issuance of Governor's Emergency Order 2020-112, I have determined that some of the restrictions imposed by previous emergency orders, including portions of Emergency Executive Order 2020-1 may be safely lifted in a limited, measured and thoughtful way.

THEREFORE, by virtue of the authority vested in me as Mayor by the Charter and Ordinance Code and as Chief Executive and Administrative Officer of the Consolidated Government, it is ordered:

Effective at 8:00 A.M. on Monday May 4, 2020, Emergency Executive Order 2020-1 (restricting occupancy of retail, entertainment and places of assembly and limiting sales and dispensing of alcohol) is hereby partially modified, rescinded and replaced by this Emergency Executive Order 2020-8 as follows:

- **Those portions of Emergency Executive Order 2020-1 (restricting occupancy of retail, entertainment and places of assembly and limiting sales and dispensing of alcohol) that are inconsistent with this Emergency Executive Order 2020-8 areas hereby RESCINDED. The remaining portions not affected by this Order shall remain in effect;**
- **All Essential Businesses identified in Emergency Executive Order 2020-5 shall be allowed to continue operating, subject to the restrictions identified in Emergency Executive Order 2020-5;**
- **Bars, pubs and nightclubs shall remain closed;**
- **Restaurants and food establishments, licensed under Chapters 500 or 509, Florida Statutes, may allow on-premises consumption of food and beverages, so long as they adopt appropriate social distancing measures. Social distancing measure shall include, but are not limited to, at least 6-foot separation between different parties, and no single party of more than 10 individuals. Seating occupancy shall be limited to no more than 25% of their calculated occupancy as determined by the City's Fire Marshal. Outdoor seating is permitted with appropriate social distancing measures so long as the 25% occupancy limits are not exceeded. Bar and counter seating shall be closed;**
- **Gyms and fitness centers shall remain closed;**

- **Vacation rentals prohibited in the Governor’s Executive Order 2020-87 shall remain closed;**
- **In-store retail sales establishments may open storefronts so long as capacity is limited to no more than 25% of their calculated occupancy as determined by the City’s Fire Marshal and so long as they adopt appropriate social distancing measures;**
- **Museums and libraries may re-open at no more than 25 percent of their building occupancy as determined by the City’s Fire Marshal and so long as they adopt appropriate social distancing measures. Any components of museums or libraries that have interactive functions or exhibits, including child play areas, shall remain closed.**
- **Consistent with Governor DeSantis’ Executive Order 2020-112, subject to the conditions outlined below, elective medical procedures may resume when this Order goes into effect. A hospital ambulatory surgical center, office surgery center, dental office, orthodontic office, endodontic office or other health care practitioners’ office may perform procedures only if:**
 - A. The facility has the capacity to immediately convert additional facility-identified surgical and intensive care beds for treatment of COVID-19 patients in a surge capacity situation;**
 - B. The facility has adequate personal protective equipment (PPE) to complete all medical procedures and respond to COVID-19 treatment needs, without the facility seeking any additional federal or state assistance regarding PPE supplies;**
 - C. The facility has not sought any additional federal, state, or local government assistance regarding PPE supplies since resuming elective procedures; and**
 - D. The facility has not refused to provide support to and proactively engage with skilled nursing facilities, assisted living facilities and other long-term care residential providers.**
- **Groups participating in any activity addressed in this Order shall be limited to ten (10) or fewer individuals, and social distancing guidelines shall be strictly adhered to;**
- **Limitations on hours for public access to the Consolidated City’s public beaches expressed in Emergency Executive Order 2020-7 are RESCINDED. Hours for public access to beaches shall be those hours normally set for beach access, if any. Allowable beach activities shall**

remain limited to those essential activities listed in Emergency Executive Order 2020-7; and

- Any person engaging in any unauthorized activity or failing to strictly adhere to social distancing guidelines as specified herein shall be subject to prosecution or civil enforcement.

The intent of these regulations is to reduce the threat of large scale exposure from high numbers of individuals gathered for social, commercial and non-essential purposes. By imposing these requirements, the CDC and other health organizations have indicated that the spread of this rapidly transmitted disease will be reduced and will lessen the impact on the City's limited health, medical and administrative resources.

Approved and issued:



A handwritten signature in blue ink that reads "Lenny Curry".

Lenny Curry, Mayor

Approved as to form:

Approval Date: May 4, 2020

A handwritten signature in blue ink that reads "J. Gabriel".

Jason Gabriel, General Counsel

Effective Date: May 4, 2020
8:00 A.M.

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