

**EMERGENCY ORDER OF THE CITY MANAGER EXTENDING THE
DECLARATION OF A CITY-WIDE PUBLIC HEALTH EMERGENCY AND
PROVIDING FOR TEMPORARY ACTIVITY PERMITS AS SPECIFIED HEREIN**

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and causes symptoms similar to those of influenza and, in some cases, death; and

WHEREAS, on March 9, 2020 the Governor of the State of Florida issued Executive Order No. 20-52 in which the Governor declared a State of Emergency exists in the State of Florida and on May 8, 2020 the Governor issued Executive Order No. 20-114 which extended the declaration of a State of Emergency for an additional period of sixty (60) days, and on July 7, 2020 the Governor issued Executive Order No. 20-166 which further extended the declaration of a State of Emergency for an additional period of sixty (60) days, which declaration remains in effect through September 5, 2020; and

WHEREAS, on March 13, 2020 the City of Sarasota declared a City-wide Public Health Emergency pursuant to Chapter 13 of the Sarasota City Code with said declaration being extended by the City Manager for additional periods of seven (7) days each effective March 20, March 27, April 3, April 10, April 17, April 24, May 1, May 8, May 15, May 22, May 29, June 5, June 12, June 19, June 26, July 2, July 10, and July 17, 2020; and

WHEREAS, on March 16, 2020 President Donald J. Trump and the Centers for Disease Control and Prevention (CDC) issued the 15 Days to Slow the Spread Guidance advising individuals to adopt far-reaching social distancing measures, such as avoiding gatherings of more than 10 people and recommending restrictions to certain establishments conducive to mass gatherings and congregations; and

WHEREAS, on March 31, 2020, the President updated the guidance, renaming it “30 Days to Slow the Spread”, and along with the White House Coronavirus Task Force urged Americans to continue to adhere to the guidelines and expand community mitigation efforts; and

WHEREAS, mitigating the effects of COVID-19 and protecting the health of its citizens and visitors is a high priority of the City of Sarasota; and

WHEREAS, the COVID-19 virus has the propensity to attach to surfaces for prolonged periods of time, thus causing property damage and continuing the spread of the virus; and

WHEREAS, on April 1, 2020 the Governor of the State of Florida issued Executive Orders 20-91 and 20-92 which remained in effect through May 4, 2020 and which provided that senior citizens and individuals with significant underlying medical conditions shall stay at home and all other persons shall limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities; and

WHEREAS, in Executive Order 20-91, the Governor found that positive tests for COVID-19 have been concentrated in urban cores; and

WHEREAS, the Re-Open Florida Task Force, in its Report to the Governor, stated that there is currently no vaccine to prevent contraction of COVID-19 and that all Floridians have a responsibility to continue practicing mitigation measures; and

WHEREAS, on April 29, 2020, subsequent to receipt of the said Report, the Governor issued Executive Order 20-112 which is effective from May 4, 2020 until the Governor issues a subsequent order which terminates or modifies it; and

WHEREAS, Executive Order 20-112 provides that senior citizens and individuals with significant underlying medical conditions are strongly encouraged to stay at home, and all persons in Florida shall continue to limit their personal interactions outside the home, and all persons in Florida should avoid congregating in groups of more than 10, and all persons in Florida should avoid nonessential travel; and

WHEREAS, Executive Order 20-112 began Phase 1 of the safe, smart, step-by-step approach to reopen Florida while continuing the social distancing CDC guidance of limiting gatherings to no more than 10 persons and distancing from other parties by six feet; and

WHEREAS, on May 9, 2020, the Governor of the State of Florida issued Executive Order 20-120 which extended and modified Executive Order 20-112 to partially "re-open" Florida; and

WHEREAS, on May 14, 2020 the Governor issued Executive Order 20-123 which also extended and further modified Executive Order 20-112 regarding the "re-opening" of Florida; and

WHEREAS, on June 3, 2020 the Governor issued Executive Order 20-139 which also extended and further modified Executive Order 20-112 by commencing Phase 2 of the "Plan for Florida's Recovery" as part of the safe, smart, step-by-step approach to reopen Florida; and

WHEREAS, Executive Order 20-139 provides that all persons in Florida are encouraged to follow appropriate social distancing and safety protocols issued by the CDC and Occupational Safety and Health Administration (OSHA) and that senior citizens and individuals with a significant underlying medical condition are strongly encouraged to avoid crowds and that all persons in Florida are encouraged to avoid congregating in groups larger than 50 persons and that in store retail businesses should maintain appropriate social distancing and sanitation protocols; and

WHEREAS, on June 23, 2020, the Governor issued Executive Order 20-150, which allows City Commission and board meetings to be conducted using communications media technology through July 31, 2020; and

WHEREAS, on June 29, 2020, the City Commission of the City of Sarasota adopted Emergency Ordinance 20-5329 which requires face coverings be worn in indoor and outdoor public locations in the City of Sarasota, with certain identified exceptions, in order to help slow the spread of COVID-19; and

WHEREAS, Emergency Ordinance 20-5329 became effective on July 1, 2020 and will remain in effect through August 30, 2020 subject to further action of the City Commission to extend, modify or terminate same; and

WHEREAS, on July 20, 2020 the City Commission of the City of Sarasota adopted certain amendments to Emergency Ordinance 20-5329 with said ordinance remaining in effect through August 30, 2020 subject to further action of the City Commission to extend, modify or terminate same; and

WHEREAS, consistent with the direction from the Governor set forth in Executive Orders 20-91, 20-92, 20-112, 20-114, and 20-139, as well as pursuant to the authority set forth in Chapter 13 Sarasota City Code, and consistent with the City-wide declaration of a Public Health Emergency, the City Manager, on July 24, 2020 extended the City-wide declaration of a Public Health Emergency for an additional period of seven (7) days and authorized temporary activity permits as specified herein; and

WHEREAS, this Emergency Order is issued pursuant to the home rule powers and police powers of the City of Sarasota and pursuant to the emergency powers of the City of Sarasota set forth in Chapter 13, Sarasota City Code as well as Chapter 252, Florida Statutes; and

WHEREAS, Section 13-3, Sarasota City Code, provides that Emergency Orders issued by the City Manager shall become effective immediately upon issuance and shall be reduced to writing as soon as practical thereafter; and

WHEREAS, this Emergency Order is hereby reduced to writing and will be filed with the City Auditor and Clerk.

NOW, THEREFORE, I, THOMAS BARWIN, CITY MANAGER OF THE CITY OF SARASOTA, FLORIDA, BASED UPON THE FOREGOING RECITATIONS, HEREBY ISSUE THIS EMERGENCY ORDER AS FOLLOWS:

Section 1. In light of the foregoing conditions, I hereby extend the declaration of City-wide Public Health Emergency for an additional period of seven (7) days through July 31, 2020.

Section 2. In light of the circumstances described in the preamble to this Order, I hereby direct that temporary activity permits may be issued by the City Manager as specified herein. The Development Services Department has issued temporary activity permits for mobile cardiac imaging coaches to provide medical services in the parking lots of doctors' offices pursuant

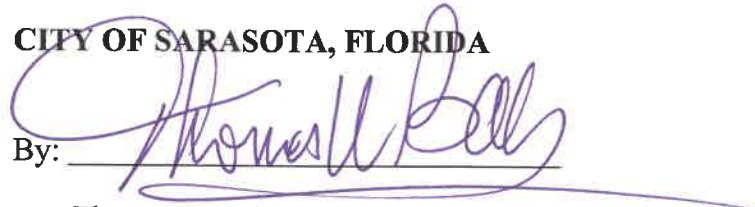
to criteria set forth in the Zoning Code. However, the maximum number of such temporary activity permits has been reached for this calendar year. I find that the services offered through use of the mobile cardiac imaging coaches are a public benefit during the City-wide Public Health Emergency. Consequently, the Development Services staff of the City may be authorized by the City Manager to issue temporary activity permits for mobile cardiac imaging coaches to provide medical services in the parking lots of doctors' offices for so long as this City-wide Declaration Public Health Emergency remains in effect. By request, the temporary activity permits for mobile cardiac imaging coaches will be considered and directed by the City Manager for use by doctors' offices. Mobile cardiac imaging coaches temporarily occupying doctors' offices parking lots must comply with all applicable sound regulations of the City and with all applicable health and safety regulations of the City, County, State and Federal governments.

Section 3. I hereby direct that for as long as the legal requirement that a quorum of Board members must be physically present in a public place for a meeting to be held is suspended by Executive Order of the Governor of the State of Florida, all City boards subject to the Sunshine Law are authorized to meet by telephone or by communications media technology. The public notice of such meeting must state that the meeting will be held by telephone or by communications media technology and must state how persons interested in attending the meeting may do so and must name locations, if any, where communications media technology will be available. The notice should also indicate how persons desiring to comment on agenda items may do so.

Section 4. As soon as feasible after issuance and filing with the City Auditor and Clerk, this Emergency Order shall be published on the web site of the City of Sarasota.

DONE AND ORDERED this 24th day of July 2020.

CITY OF SARASOTA, FLORIDA

By: 

Thomas Barwin
City Manager

Tammy/Agreements/A-E/Emergency Order July24 (7/24/20)