

# DECLARATION OF EMERGENCY REGULATIONS

(COVID-19 State of Emergency - March 19, 2020)

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and other potential methods, and presents symptoms similar to those of influenza;

WHEREAS, in December of 2019, a new and substantial outbreak of COVID-19 emerged in Wuhan, China, and has since spread rapidly to 150 countries and territories throughout the World, including the United States, and more specifically Lee County and 30 other counties in the State of Florida;

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared COVID-19 a pandemic;

WHEREAS, the Centers for Disease Control and Prevention (CDC) is predicting that it is likely that widespread transmission of COVID-19 will also occur in the United States;

WHEREAS, no vaccine or drug is currently available to cure or combat COVID-19;

WHEREAS, the Town of Fort Myers Beach is threatened by COVID-19 because of the ability of the virus to spread rapidly among humans, and COVID-19 thereby constitutes a clear and present threat to the health, safety, and welfare of the residents and visitors of the Town of Fort Myers Beach;

WHEREAS, the CDC has issued guidelines for "community mitigation strategies" to limit the spread of COVID-19, including recommendations for social distancing, which has proven to be an effective method for containing COVID-19;

WHEREAS, President Trump issued an Proclamation Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; Governor DeSantis has issued Executive Orders 20-51, 20-52 and 20-68, Lee County Board of County Commissioners adopted Resolution 20-03-18 declaring a state of emergency and subsequently closing all county beaches and parks; and the Town Council of the Town of Fort Myers Beach adopted Resolution 20-13 regarding COVID-19, declaring a state of emergency, and authorizing in accordance with Section 252.38, Florida Statutes, the waiving of "the procedures and formalities otherwise required of the political subdivision by law pertaining to . . . [the] performance of public work **and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;**" and

WHEREAS, pursuant to Town of Fort Myers Beach Charter and Sections 12-19 through 12-25 of the Code of Ordinances of the Town of Fort Myers Beach, Florida, in the event of a proclamation of a state of emergency by the Governor, the Town Council of the Town of Fort Myers Beach is empowered to take all prudent actions necessary to ensure the health, safety and welfare of the community.

**NOW, THEREFORE BE IT RESOLVED,**

1. The following events and activities within the Town of Fort Myers Beach are postponed, cancelled, closed or suspended:
  - A. All regular meetings of the Town boards, including all advisory and statutory boards, Town committees and Town working groups;
  - B. All Town special events.
  - C. All public gatherings of any type, whether organized or otherwise, of greater than 10 persons are prohibited.
  - D. All restaurants and other like entertainment facilities and businesses shall adhere to the latest state executive orders and mandates by Governor Ron DeSantis.
  - E. **All beaches and beach accesses in the Town of Fort Myers Beach are closed. No persons or activities are permitted on the beach and within the EC zoning district of the Town (generally seaward of the Coastal Construction Control Line). The beach is defined as the area of sand along the Gulf of Mexico that extends landward from the mean low-water line to the place where there is a marked change in material or physiographic form, or to the line of permanent vegetation, within the territorial boundaries of the Town of Fort Myers Beach from Bowditch Point (26°27'53.88"N, 81°58'7.74"W) to San Carlos Point (26°24'15.45"N, 81°52'58.38"W).**
  - F. All Town Parks, including recreational and cultural facilities and programs, are closed.
  - G. All residents and visitors of the Town of Fort Myers Beach are directed to comply with these emergency regulations and necessary measures, which shall be strictly enforced, and to cooperate with public officials and public safety personnel in executing any emergency operational plans, and to obey and comply with the lawful direction of all properly identified public officers.
2. In accordance with applicable state law, Sections 1-12 and 12-25 of the Code of Ordinances of the Town of Fort Myers Beach and Article V of Chapter 2 of the

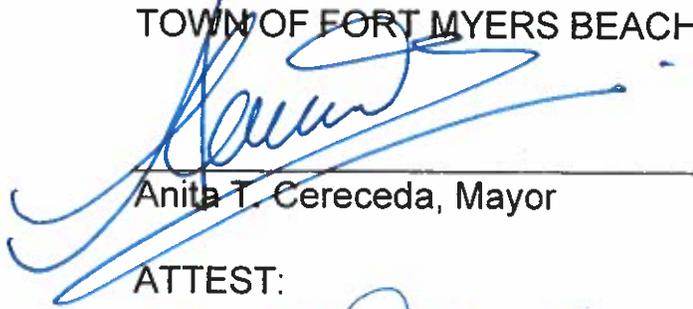
Land Development Code of Fort Myers Beach, any violation of any rule or regulation issued and set forth herein may be punishable by a fine of up to \$5000.

This will be effective starting at 6:00 PM on Thursday, March 19, 2020 until further notice.

Anita T. Cereceda, Mayor	Yes
Ray Murphy, Vice Mayor	Yes
Joanne Shamp, Councilmember	Yes
Rexann Hosafros, Councilmember	No
Bruce Butcher, Councilmember	Yes

ADOPTED this 19<sup>th</sup> day of March, 2020 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH



Anita T. Cereceda, Mayor

ATTEST:



Michelle D. Mayher, Town Clerk