

DECLARATION OF EMERGENCY REGULATIONS No. 3

(COVID-19 State of Emergency - March 30, 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; and

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; and

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

WHEREAS, President Trump issued a Proclamation Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

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; and

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

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, according to information from the Center for Disease Control and Prevention, Public Health Professionals, and the 2010 Federal Census the Town of Fort Myers Beach is an "at-risk" community for severe or critical reactions to COVID-19 infections, and

WHEREAS, the Town of Fort Myers Beach is threatened by COVID-19 because of the ability of the virus to spread rapidly among humans, 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; and

WHEREAS, the number of confirmed COVID-19 cases continues to rise throughout the country, the State of Florida, and Lee County, with at least 1 confirmed case in the Town of Fort Myers Beach (according to the Florida Department of Health report issued March 28, 2020); and

WHEREAS, the Office of the Governor of the State of Florida has directed in Executive Order 20-83 that the State Surgeon General and State health officer issued a public health advisory to all persons over 65 years of age, and person that have a serious underlying medical condition that places them at a high risk of severe illness from COVID-19, urging them to stay home and to take such other measures as necessary to limit their risk of exposure to COVID-19; and

WHEREAS, in accordance with Section 252.38, *Florida Statutes*, the Town Council of the Town of Fort Myers Beach adopted Resolution 20-13, declaring a state of emergency regarding COVID-19, and authorizing **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, 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 THE TOWN COUNCIL RECOMMENDS THAT:

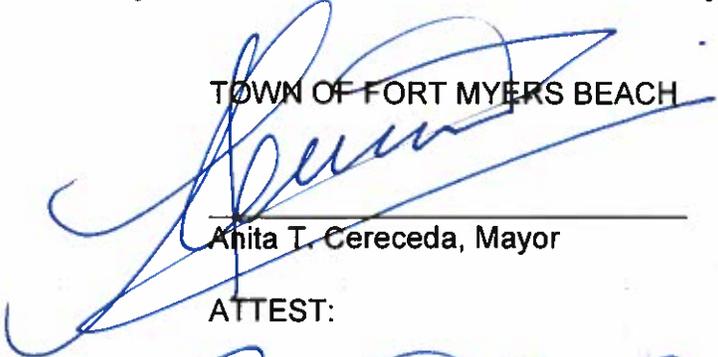
1. Persons residing or visiting the Town of Fort Myers Beach remain in their dwelling units or on their property (excluding the beach and within the EC zoning district of the Town), except as necessary, to seek medical care, food, and other essential needs.
2. Resident and visitors shall adhere to social distancing practices, washing hands with soap and water for at least twenty seconds or using hand sanitizer, covering coughs and sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands. Residents and visitors are strongly encouraged to limit all of their travel, except as necessary.
3. Residents and visitors may engage in outdoor activity and recreation in areas not otherwise closed to the public, but urged to maintain a distance of at least six (6) feet between each other, including without limitations, walking, hiking, running, or cycling. Groups of 10 or more individuals may not gather on a public street, alley, public way, sidewalk, or government facility open to the public.
4. This Emergency Declaration does not modify or otherwise supersede any prior Emergency Declaration.

This Emergency Declaration will be effective starting at 12:01 AM on Tuesday, March 31, 2020 and stay in effect until rescinded by the Town Council.

Anita T. Cereceda, Mayor	aye
Ray Murphy, Vice Mayor	aye
Joanne Shamp, Councilmember	aye
Rexann Hosafros, Councilmember	aye
Bruce Butcher, Councilmember	aye

ADOPTED this 30th 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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:



John R. Herin, Jr., Town Attorney