

**RESOLUTION NO. 885**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, IN SUPPORT OF GOVERNOR RON DESANTIS' EXECUTIVE ORDER NUMBER 20-91 TO CONTROL THE SPREAD OF CORONAVIRUS DISEASE (COVID-19); AND PROVIDING FOR CONFLICTS, SEVERABILITY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.**

**WHEREAS**, on March 16, 2020, the Town Commission of the Town of Sewall's Point (the "Town") adopted Resolution No. 883 declaring a state of local emergency in response to the public emergency that COVID-19 poses; and

**WHEREAS**, Resolution No. 883 was adopted pursuant to the Town of Sewall's Point's (the "Town") Home Rule powers, Section 16-5 of the Town's Code of Ordinances and Section 252.38(2), Florida Statutes,

**WHEREAS**, conditions presented by the threat of COVID-19 continue to pose a threat to the public health that requires dynamic emergency response, including the maintenance of the existing state of local emergency, as well as the imposition of additional directives and orders as conditions require; and

**WHEREAS**, on April 1, 2020, Governor Ron DeSantis issued Executive Order Number 20-91, which requires all persons in the State of Florida to 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**, the Town Commission finds that it is necessary and appropriate to support and enforce Executive Order Number 20-91 to ensure that the spread of COVID-19 is slowed and that residents and visitors to the Town remain safe and secure.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, AS FOLLOWS:**

**Section 1.** The Town Commission hereby pledges its full support of Executive Order Number 20-91 issued by Governor Ron DeSantis on April 1, 2020 ("EO 20-91"), as amended by Executive Order Number 20-92, and hereby announces that EO 20-91 (including any amendments) is in full force and effect within the jurisdiction of the Town of Sewall's Point, Florida.

**Section 2.** In accordance with EO 20-91, senior citizens and individuals with a significant underlying medical condition (such as chronic lung disease, moderate-to-severe asthma, serious heart conditions, immunocompromised status, cancer, diabetes, severe obesity, renal failure and liver disease) shall stay at home and take all measures to limit the risk of exposure to COVID-19. All persons currently residing within the Town of Sewall's Point shall limit their movements and other

personal interactions outside of their homes to only those necessary to obtain or provide essential services or conduct essential activities. Essential services and essential activities are defined within EO 20-91 (including any amendments).

**Section 3.** The Town of Sewall's Point Police Department and other essential personnel are directed to enforce EO 20-91 (including any amendments) within the town limits of the Town of Sewall's Point, Florida.

**Section 4.** In accordance with EO 20-91, all businesses or organizations within the Town are encouraged to provide delivery, carry-out or curbside service outside of the business or organization, of orders placed online or via telephone, to the greatest extent practicable. Restaurants, of course, are permitted to provide delivery or take-out services only.

**Section 5.** Pursuant to EO 20-91, a social gathering in a public space is not an essential activity, and the Police Department shall ensure that groups of people greater than ten (10) are not permitted to congregate in any public place within the Town.

**Section 6.** Resolution No. 833 (Town's Declaration of State of Local Emergency) is still in effect and the authority granted therein to the "Designated Town Official" remains in full force and effect.

**Section 7.** All Resolutions or Orders or parts of Resolutions/Orders that are in conflict with the provisions of this Resolution and EO 20-91 (as amended), or inconsistent with the regulations of this Resolution are hereby stayed to the extent necessary to give this Resolution full force and effect until its expiration.

**Section 8.** If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 9.** This Resolution shall take effect upon approval by the Town Commission.

Kurzman offered the Resolution and moved its adoption. The motion was seconded by Barile, and upon being put to a vote, the vote was:

	<u>AYE</u>	<u>NAY</u>
FRANK FENDER, MAYOR	<u>X</u>	___
VINCENT N. BARILE, VICE MAYOR	<u>X</u>	___
JAMES W. CAMPO, COMMISSIONER	___	<u>X</u>
DAVE KURZMAN, COMMISSIONER	<u>X</u>	___
KAJIA MAYFIELD, COMMISSIONER	<u>X</u>	___

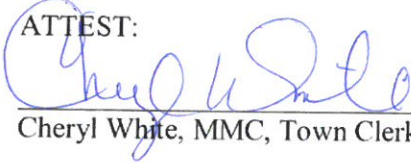
The Town Manager thereupon declared this Resolution No.885 approved and adopted by the Town Commission of the Town of Sewall's Point on this 3rd day of April, 2020.

**TOWN OF SEWALL'S POINT, FLORIDA**



FRANK FENDER, MAYOR

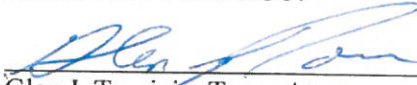
ATTEST:



Cheryl White, MMC, Town Clerk

(TOWN SEAL)

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



Glen J. Torcivia, Town Attorney  
Florida Bar No. 343374

