



CITY OF TAMPA

— OFFICE OF THE MAYOR —

Jane Castor, Mayor

EXECUTIVE ORDER 2020-03

WHEREAS, on March 1, 2020, Governor Ron DeSantis issued Executive Order Number 20-51 declaring a Public Health Emergency in the State of Florida due to the spread of Coronavirus Disease 2019 (“COVID-19”); and

WHEREAS, on March 7, 2020, Governor Ron DeSantis issued Executive Order Number 20-52, declaring a State of Emergency for the State of Florida, extending to all sixty-seven (67) counties, including Hillsborough County and the City of Tampa, due to Coronavirus Disease 2019 (“COVID-19”); and

WHEREAS, on March 12, 2020, the Hillsborough County Emergency Policy Group issued an Executive Order declaring a local state of emergency in response to a countywide threat from COVID-19, which Order was extended on March 19, 2020; and

WHEREAS, on March 12, 2020, pursuant to Section 2-402 of the City of Tampa Code, as Mayor of the City of Tampa I issued Executive Order 2020-01 declaring that a state of local emergency has occurred in the City of Tampa in response to a citywide threat from COVID-19, which Executive Order was revised and readopted by Executive Order 2020-02 on March 16, 2020; and

WHEREAS, on March 13, 2020, President Donald J. Trump issued a Proclamation Declaring a National Emergency concerning COVID-19; and

WHEREAS, between March 17 and March 20, 2020, the Governor of the State of Florida issued additional COVID-19-related Executive Orders placing restrictions on certain businesses and public gathering places throughout Florida as follows: Executive Order 2020-68 (Bars, Restaurants and Beaches), Executive Order 2020-69 (Local Government Public Meetings); Executive Order 2020-71 (Alcohol Sales, Restaurants and Gyms) and Executive Order 2020-72 (Non-essential Elective Medical Procedures); and

WHEREAS, between March 16 and March 20, 2020, the County Administrator of Hillsborough County also issued Administrator Orders placing restrictions on certain businesses

and public gathering places throughout the County, including within the City of Tampa, all of which were most recently updated by adoption of Administrator Order Number 20-05, dated 3-20-2020 (Updating Limitations for Establishments and Gatherings), which Administrator Order Number 20-05 rescinded and replaced all previously issued Administrator Orders; and

WHEREAS, on March 17, 2020, I issued Mayoral Order #1, limiting the hours and on-premises consumption of food and beverages in restaurants, bars, private clubs and other establishments, limiting the size of gatherings, and closing public beaches within the City of Tampa; and

WHEREAS, Chapter 252, Florida Statutes, and Section and Article VII (Civil Emergencies), Sec. 2-401, et. seq., authorize me to declare a state of local emergency if I find that an emergency, as defined by Sec. 252.34, Fla. Stat. has occurred in the City or that the threat thereof is imminent, and further provides that the local emergency declaration may be extended in seven (7) day increments; and

WHEREAS, the facts and bases set forth in the City of Tampa Executive Order 2020-01 and 2020-02 for declaring a state of local emergency still exist, therefore, it is necessary to extend by another 7 days the state of local emergency.

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the City of Tampa by Sections 2-402 and 2-403 of the City of Tampa Code, the Charter of the City of Tampa, and the Laws of the State of Florida, and in coordination with the Hillsborough County Emergency Policy Group, I hereby issue this Executive Order declaring:

1. Extension of Mayor's Declaration of State of Local Emergency. The justification set forth in City of Tampa Executive Order 2020-01 and 2020-02 for declaring a state of local emergency still exists, therefore, the state of local emergency declared in Executive Order 2020-01, as revised and readopted by Executive Order 2020-02 on March 16, 2020, is hereby extended within the City of Tampa for another seven (7) day period, effective as of the date hereof.
2. Governor's Orders. That the Executive Orders issued by the Governor of the State of Florida addressing the statewide COVID-19 state of emergency, specifically Executive Order Numbers 20-51, 20-52, 20-68, 20-69, 20-71 and 20-72, are incorporated herein by reference and made part of this Order.
3. Hillsborough County Emergency Policy Group Executive Orders. That the Executive Order of the Hillsborough County Emergency Policy Group adopted March 12, 2020, as extended and amended by Executive Order dated March 19, 2020, are incorporated herein by reference and made part of this Order.
4. Hillsborough County Administrator Orders. That the Administrator Order Number 20-05, dated 3-20-2020 (Updating Limitations for Establishments and Gatherings), issued

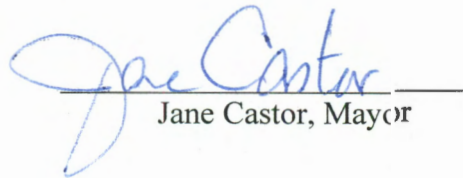
by the County Administrator of Hillsborough County, which Administrator Order Number 20-05 rescinded and replaced all previously issued Administrator Orders, is incorporated herein by reference and made part of this Order.

5. Mayoral Orders and Directives. That Mayoral Order #1 and other written orders or directives of this office issued pursuant to this Executive Order or Executive Order 2020-01 and Executive Order 2020-02, are incorporated herein by reference and made part of this Order, and are hereby extended for the term of this Order, except to the extent that any provision thereof is in conflict with or has been superseded by Executive Order of the Governor, Executive Order of the Hillsborough Policy Emergency Management Group or Hillsborough County Administrator Order.
6. Subsequent Orders. Any Executive or Administrator Order issued by the Governor of the State of Florida, the Hillsborough County Emergency Policy Group, and/or the Hillsborough County Administrator subsequent to the date of this Order shall have force and effect in the City of Tampa as provided by Chapter 252, Florida Statutes.
7. Mayor's Continuity of Government Powers. That pursuant to Section 2-403 of the City of Tampa Code of Ordinances, the procedures and formalities otherwise required of the City by law or ordinance are waived pertaining to the following: performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community; entering into contracts; incurring obligations; employment of permanent and temporary workers; utilization of volunteer workers; rental of equipment; acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and appropriation and expenditure of public funds.
8. Additional Specific Restrictions Authorized. That pursuant to Section 2-404(a) of the City of Tampa Code, the following specific restrictions are hereby imposed, and the additional restrictions contained in Section 2-404, which are listed on Exhibit "A", attached hereto and incorporated herein by reference, may be imposed at a later date:
 - (a) Price-gouging restrictions. That all State and/or local business licensees, vendors, merchants, and any other person operating a retail business in the City of Tampa, are hereby prohibited from charging more than the normal average retail price, as defined in Section 2-404(7), for any goods, materials or services sold during the duration or extension of the emergency;
 - (b) Closure of City of Tampa Beaches. That the following public beaches and all associated recreational facilities are hereby closed for the duration of this Order: Ben T. Davis Beach, Davis Island Beach, Picnic Island Beach and Cypress Point Park Beach; provided however, City of Tampa boat ramps shall remain open;
 - (c) Closure of City of Tampa Parks and Recreation Facilities. That all City of Tampa Parks and Recreation Facilities and Pools are closed, and all programs, tournaments and events scheduled for those facilities are canceled

until further notice.

9. Exemptions from limitations for government, public safety and health personnel. That pursuant to Section 2-404(b) during the duration of this emergency and to the extent necessary, the following individuals are exempt from the restrictions contained in Section 2-404 of the City of Tampa Code: physicians, nurses, ambulance operators performing medical services, on-duty employees in hospitals and other medical facilities, on-duty military personnel, personnel of public utilities maintaining essential public services, city authorized or requested firemen, law enforcement officers and personnel and such other classes of persons as may be essential to the preservation of public order or necessary to serve the safety, health and welfare of the citizens of the City of Tampa.
10. Effective Date and Duration. That this Executive Order shall take effect immediately on the date set forth below and all provisions herein shall apply during the duration of this Executive Order, and this Executive Order shall terminate seven (7) days after the date set forth below unless suspended by subsequent executive order or extended as necessary in seven (7) day increments by additional executive orders issued by the Mayor.
11. Enforcement. Pursuant to F.S. § 252.50, a violation of this Order, and/or any Executive Order of the Governor of the State of Florida, of the Hillsborough County Emergency Policy Group, or of the Hillsborough County Administrator made pursuant to the emergency powers provided by Chapter 252, Fla.Stat., is a second degree misdemeanor which carries a penalty of up to 60 days imprisonment and/or a \$500 fine.

DONE and ORDERED this 23 day of March 2020.


Jane Castor, Mayor

PREPARED AND APPROVED BY:

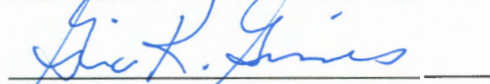

Gina K. Grimes, City Attorney

EXHIBIT A

During the existence of the subject state of local emergency, the following restrictions set forth in Section 2-404(a), City of Tampa Code, may be imposed as set forth in this or other Executive Orders, by written Mayoral Orders, or by the Mayor's authorized designee, as necessary to address the threat posed by the spread of COVID-19:

- (a) Prohibit or regulate the purchase, sale, transfer or possession of explosives, combustibles, dangerous weapons of any kind (except firearms which may be restricted by F.S. § 870.044)[*and except as may be contrary to the provisions of Chapter 790, F.S.*], or alcoholic beverages;
- (b) Prohibit or regulate any special event, demonstration, parade, march, vigil or participation therein from taking place on any of the public rights-of-way or upon any public property;
- (c) Prohibit or regulate the sale or use of gasoline, kerosene, naphtha or any other explosive or flammable fluids or substances altogether, except by delivery into a tank properly affixed to an operable motor vehicle, bike, scooter, boat, or airplane and necessary for the propulsion thereof;
- (d) Prohibit or regulate the participation in or carrying on of any business activity, and prohibit or regulate the keeping open of places of business, places of entertainment and any other place of public assembly;
- (e) Prohibit or regulate travel upon any public street, highway or upon any other public property. Persons in search of medical assistance, food or other commodity or service necessary to sustain the wellbeing of themselves or their families or some member thereof may be excepted from such prohibition or regulation;
- (f) A curfew upon all or any portion of the city thereby prohibiting persons from being on public streets, highways, parks or other public places during the hours which the curfew is in effect;
- (g) Prohibit state and/or local business licensees, vendors, merchants and any person operating a retail business from charging more than the normal average price for any goods, materials or services sold during a declared state of local emergency, except that the normal average price for any merchandise may be increased, but only to the degree that the maximum increase in retail price shall be a percentage less than or equal to the amount representative of the average mark-up percent between wholesale and average retail price for any merchandise during the thirty-day period immediately preceding the declared state of local emergency. The normal average price as used herein is defined to be that price at which similar merchandise, or services, has been sold during the thirty (30) days immediately preceding the declaration of a state of local emergency;
- (h) Prohibit any person, firm, or corporation from using the fresh water supplied by the city for any purpose other than cooking, drinking or bathing.