CITY OF STUART, FLORIDA
DECLARATION OF STATE OF LOCAL EMERGENCY
(COVID-19 State of Emergency)

WHEREAS, Section 16-4 of the City of Stuart, Code of Ordinances authorizes the Mayor to declare a State of Local Emergency; and

WHEREAS, the Mayor has determined that a State of Local Emergency exists within the City of Stuart, Florida; and

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 with 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 more than 117 Countries and territories throughout the World including the United States, and more specifically several locations within the State of Florida;

WHEREAS, on March 1, 2020, Governor Ron DeSantis issued Executive Order 20-51, declaring that appropriate measures to control the spread of COVID-19 in the State of Florida are necessary, and therefore directed that a Public Health Emergency be declared in the State of Florida. Further the Governor issued a statement recommending that local municipalities and private entities strongly consider limiting or postponing mass gatherings in the State of Florida; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52, declaring a State of Emergency in the State of Florida regarding the COVID-19 pandemic; and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared related to COVID-19 a pandemic; further, according to the WHO, as of March 14, 2020, there are over

142,539 confirmed cases of COVID-19 globally, and in excess of 5,393 deaths, with an increase of 9,769 new cases and 48 new deaths as well as 12 new countries reporting cases in the preceding 24 hours; and

WHEREAS, the Center for Disease Control and Prevention (CDC) has declared that it is likely that widespread transmission of COVID-19 will occur throughout the United States. The potential public health threat posed by COVID-19 is "high", both in the United States and throughout the world; the CDC has advised that older adults and persons with serious chronic medical conditions are at a higher risk of severe illness caused from exposure to COVID-19, and should take extra precautions to avoid exposure and further transmission; and

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

WHEREAS, the City of Stuart, Florida is threatened by COVID-19 because of the apparent 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 citizens and visitors of the City of Stuart, Florida; and

WHEREAS, the City of Stuart should take protective measures – including activation of the emergency operations center at such time as deemed necessary by the City Manager; procurement of personal protective equipment; consequence management, and similar activities to support the public health and safety of the community; 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; and

WHEREAS, The City of Stuart began implementing preparations to address the serious public health threat and precautions necessary to prevent the spread of COVID-19 virus on March 1, 2020; and

WHEREAS, the City of Stuart is closely monitoring the recommendations of the Center for Disease Control which currently recommends community preparedness and everyday prevention measures be taken by all individuals and families, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes with a tissue and disposal of the tissue immediately thereafter, washing hands often with soap and water for at least 20 seconds, using of alcohol-based hand sanitizers with 60%-95% alcohol if soap and water are not readily available and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and

WHEREAS, the CDC currently recommends mitigation measures for communities experiencing an outbreak including staying at home when sick, keeping away from others who are sick, limiting face-to-face contact with others as much as possible, consulting with your healthcare provider if

individuals or members of a household are at high risk for COVID-19 complications, staying home when a household member is sick with respiratory disease symptoms if instructed to do so by public health officials or a health care provider; and

WHEREAS, CDC recommends cancellation of any event of more than 50 people until at least April 1, 2020, and smaller gatherings that may bring persons together from multiple parts of the country; for organizations who serve high-risk populations, consider cancelling gatherings of more than 10 people; and for individuals to avoid gatherings and social events with 10 or more people as much as possible; and

WHEREAS, Florida Statute, §252.38(2) authorizes legally constituted municipalities to create and implement municipal emergency management programs.

WHEREAS, the City of Stuart Code of Ordinances as well as Florida Statute, §252.38(2) authorizes the Mayor to declare a State of Local Emergency which in turn empowers the City Commission, City Manager and other Staff to waive the procedures and formalities otherwise required by law pertaining to:

1. Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency' provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Commission;

2. Obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and bind the City for the fair value thereof and, if required immediately, commandeer the same for public use;

3. Require emergency service of any City officer or employee and command the aid of as many citizens of this community as is deemed necessary in the execution of its duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers;

4. Performance of public works and those actions necessary to ensure the health, safety and welfare of the community, including but not limited to denying or revoking permits for public gatherings and/or cancelling mass gatherings taking place during the Local State of Emergency.

5. Entering into contracts; Incurring obligations; Rental of equipment; Acquisition and distribution, with or without compensation, of supplies, materials and facilities; Appropriation and expenditure of public funds.

NOW, THEREFORE,

I, Michael J. Meier of the City of Stuart, Florida, pursuant to the authority vested in me by Section 16-4, Code of Ordinances of the City of Stuart, Florida, do hereby declare and establish a Local State of Emergency for the next seven (7) days or until extended by a vote of the City Commission, and waive the procedures and formalities as provided herein.

Dated, in the City of Stuart, Florida this 16th day of March, 2020.

ATTEST:

MARY KINDEL
CITY CLERK

MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL
CITY ATTORNEY