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

WHEREAS, on January 30, 2020, the World Health Organization designated COVID-19, outbreak a Public Health Emergency of International Concern; and

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary, Alex M. Azar II, declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to COVID-19; and

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

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency in response to COVID-19; and

WHEREAS, on March 17, 2020, Mayor Keith A. James executed a Declaration of State of Local Emergency; and

WHEREAS, on March 17, 2020, Mayor Keith A. James issued Executive Order 2020-01, postponing City sponsored large group and mass gatherings and large group or mass gatherings requiring City permits or City services; and

WHEREAS, on July 6, 2020 the CDC issued its Events and Gatherings: Readiness and Planning Tool to Prevent the Spread of COVID-19 at Events and Gatherings; and

WHEREAS, on September 25, 2020, Governor Ron DeSantis issued Executive Order 20-244, Phase 3; Right to Work; Business Certainty; Suspension of Fines, prohibiting local government COVID-19 ordinances from preventing individuals from working or operating a business, restricting regulation of indoor capacity in restaurants; and suspending collection of fines and penalties enforced on individuals; and

WHEREAS, while Palm Beach County has moved into Phase 3, it is still necessary and appropriate to take steps that slow the spread of COVID-19 associated with events requiring permits and or city services that occur within the City of West Palm Beach.

NOW, THEREFORE, I, Keith A. James, Mayor of the City of West Pam Beach, Florida, by the authority vested in me pursuant to Chapters 166 and 252 of the Florida Statutes and the City of West Palm Beach Charter and Code of Ordinances, do hereby order:

Section 1. Executive Order 2020-01 is repealed.
Section 2. Outdoor events requiring city services and/or city permits may be conducted provided:

- The event promotor/applicant submits a plan which establishes enhanced protocols to mitigate the spread of COVID-19 taking into consideration measures such as those contained in the CDC’s Readiness and Planning Tool to Prevent the Spread of COVID-19 at Events and Gatherings to be reviewed and approved by the City prior to the issuance of a permit.
- The event promotor/applicant shall abide by the enhanced protocol plan submitted for approval in conducting the event.
- The City reserves the right to revoke a permit issued for noncompliance with the plan or permit conditions and to deny future events based on non-compliance with the plan or any of the permit conditions.

Section 3. Indoor events held in City owned / operated facilities:

- Indoor events held in City owned/operated facilities are capped at 50% capacity with social distancing required.
- COVID-19 mitigation requirements set by the City will be in effect for use of City owned rental facilities.

Section 4. The City reserves the right to cancel permitted events if the county-wide positivity rate weekly average exceeds 5% for 4 consecutive weeks as defined by the PB County Health Department, hospital capacity limits are compromised as per County Health Department guidelines and/or there is an order by the County or Governor that requires cancellation of mass or large group gatherings.

Section 5. The Mayor may amend provisions of this Order by written notice to the City Clerk.

Section 6. The City of West Palm Beach Police Department may use its authorities under Florida law to implement and enforce the provisions of this Order and shall take measures necessary to protect the public health, safety and welfare.

Section 7. This Order shall terminate upon the expiration of the existing City of West Palm Beach State of Local Emergency, except that if such State of Local Emergency is extended, this Order shall also be deemed to extend for the duration of such extension. This Order may be cancelled earlier by action of the Mayor.

Section 8. This Order shall be effective November 4, 2020.

[SEAL]
ATTEST:

Keith A. James, Mayor
Dated: October 29, 2020

CITY ATTORNEY’S OFFICE
Approved as to form and legality
By: [Signature]