CITY OF WEST PALM BEACH
EXECUTIVE ORDER 2020-02
REGARDING THE NOVEL CORONAVIRUS, COVID-19

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 coronavirus; and

WHEREAS, on March 16, 2020, President Donald J. Trump and the CDC issued guidance entitled “15 Days to Slow the Spread” advising individuals to adopt far-reaching social distancing measures which includes avoiding gathering of more than 10 people; and

WHEREAS, on March 17, 2020, Governor, Ron DeSantis, entered Executive Order Number 20-68 which suspended operations of bars, pubs, and nightclubs; supported local government closures of beaches; and restricted restaurants occupancy to 50% of their current building occupancy; and

WHEREAS, based on the recommendations of the State of Florida Health Officials, Governor, Ron DeSantis, recommended local municipalities and private entities to limit or postpone large group / mass gatherings in the State of Florida in an effort to reduce the spread of the new coronavirus.

NOW, THEREFORE, I, Keith A. James, Mayor of the City of West Palm 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. All restaurants are ordered closed to the public effective 9:00 p.m. March 21, 2020 for on premises dining. This section does not prohibit the restaurant from providing takeout, delivery and pick-up only services.
Section 2. The City of West Palm Beach Police Department shall use its authorities under Florida law to implement and enforce the provisions of this Order and shall take measures as to restaurants as necessary to protect the public health, safety and welfare.

Section 3. The Mayor may amend provisions of this Order by written notice to the City Clerk.

Section 4. The provisions of this Order shall serve as minimum standards.

Section 5. 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.

For the purpose of this Order, “restaurant” shall include any Food Service Establishment, licensed under Chapter 500, Florida Statutes, and Public Food Service Establishments, licensed under Chapter 509, Florida Statutes, except food services provided by schools, institutions, and fraternal organizations directed to students or members of the public which is provided on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site in its control.

This Order shall be effective as of 9:00 p.m. March 21, 2020.

[SEAL]

Keith A. James, Mayor
Dated: March 20, 2020

ATTEST:

Deputy City Clerk

CITY ATTORNEY’S OFFICE
Approved as to form and legal sufficiency
By: KCA
Date: 3/20/20