

AN ORDER OF THE MAYOR INITIATING CERTAIN EMERGENCY POWERS PURSUANT TO CITY CODE CHAPTER 2, ARTICLE VIII, DIVISION 2, FOR THE PURPOSE OF RESPONDING TO COVID-19, INCLUDING REGULATION OF CERTAIN PLACES OF PUBLIC ASSEMBLAGE AND REGULATION OF THE SALE AND DISPENSING OF ALCOHOLIC BEVERAGES.

The following order is hereby issued by Rick Kriseman, in his capacity as Mayor of the City of St. Petersburg, Florida (the "City"):

1. **FINDINGS:** I hereby make the following findings in support of this emergency order:
 - (a) On March 12, 2020, pursuant to St. Petersburg City Code section 2-425(c), I declared a state of local emergency in the City for the purpose of responding to Novel Coronavirus Disease 2019 ("COVID-19").
 - (b) COVID-19 continues to pose an immediate danger to the public health, safety, or welfare that requires emergency action within the City, and the state of local emergency initially declared on March 12, 2020, (the "Emergency") remains in effect.
 - (c) Guidance issued by the Centers for Disease Control (the "CDC") states that COVID-19 is thought to be spread mainly from person-to-person through close contact between people (i.e., within about six feet) and that the best way to prevent infection by COVID-19 is to avoid being exposed to the virus by putting distance between people in a community.
 - (d) On March 15, 2020, CDC issued updated guidance concerning large events and mass gatherings such as conferences, festivals, parades, concerts, sporting events, weddings, and other types of assemblies. Because these events and mass gatherings frequently draw people from multiple communities, they can contribute to the spread of COVID-19. Accordingly, this CDC guidance recommends that organizers (whether groups or individuals) cancel or postpone in-person events that consist of 50 people or more throughout the United States. This guidance also states that events of *any* size should be continued only if they can be carried out with adherence to guidelines for protecting vulnerable populations, hand hygiene, and social distancing.

- (e) City Code chapter 2, article VIII, division 2, (collectively, the “**Emergency Code**”) authorizes the Mayor to invoke certain general emergency powers during the Emergency, including closing places of public assemblage and limiting the sale of alcoholic beverages.
- (f) Closing places of public assemblage within the City to the types of large events and mass gatherings described by CDC will reduce the spread of COVID-19 within the City and is, therefore, necessary to protect the public interest.
- (g) Rather than fully close certain places of public assemblage within the City to promote the social distancing recommended by CDC, reducing the allowable occupancy of those places at this time will reduce the spread of COVID-19 within the City and is, therefore, necessary to protect the public interest.
- (h) Limiting the hours in which alcohol may be sold for on-premises consumption within the City to promote the social distancing recommended by CDC will reduce the spread of COVID-19 within the City and is, therefore, necessary to protect the public interest.
- (i) There is a compelling governmental purpose in reducing the spread of COVID-19 within the City through actions taken in this order, and those actions have been narrowly tailored to achieve that purpose.
- (j) This order is made in consideration of these findings, and the procedure used to make the order is fair under the circumstances.

2. PLACES OF PUBLIC ASSEMBLAGE, DEFINED: For purposes of this order, the term “**place of public assemblage**” means any room, space, or other common area that is located within a structure or an outdoor venue that can accommodate multiple individuals in a single location, regardless of whether located on public or private property. But it does not apply to any location classified by the Florida Fire Prevention Code (“**FFPC**”) for the following types of occupancy: (i) educational; (ii) day care; (iii) health care; (iv) ambulatory health care; (v) detention and correctional; (vi) residential one- and two-family dwelling unit; or (vii) residential board and care.

3. LARGE EVENTS AND MASS GATHERINGS: Pursuant to City Code section 2-427(h) the Mayor hereby establishes the following regulation of places of public assemblage, subject to certain exceptions:

- (a) All places of public assemblage within the City are closed to in-person events and gatherings that consist of more than 50 people, including any concert, festival, conference, sporting event, parade, party, or wedding.

(b) This does not apply to (i) the provision of designated, essential services, such as fire, police, or utility repair; (ii) the provision of medical services; or (iii) the day-to-day operation of businesses and other organizations.

(c) This regulation goes into effect immediately and continues in effect until the first to occur of the following: (i) amendment or termination of this regulation pursuant to a subsequent order or (ii) expiration or earlier termination of the Emergency.

4. REDUCED OCCUPANCY: Pursuant to City Code section 2-427(h) the Mayor hereby establishes the following regulation of places of public assemblage, subject to certain exceptions:

(a) For purposes of this section 4, the term “**standard capacity**” means the occupant load posted within a place of public assemblage pursuant to the FFPC or, in the absence of such a posted occupant load, the allowable occupant load determined by the City pursuant to FFPC for purposes of enforcing this order.

(b) Occupancy of places of public assemblage used for the following purposes shall be limited to 50% of the standard capacity: (i) arena; (ii) amusement park; (iii) athletic field; (iv) auditorium; (v) bar; (vi) bowling alley; (vii) club; (viii) concert hall; (ix) gym or fitness center; (x) restaurant; (xi) stadium; or (xii) theater.

(c) This does not apply to (i) the provision of designated, essential services, such as fire, police, or utility repair or (ii) the provision of medical services.

(d) This regulation goes into effect on March 17, 2020, at noon and continues in effect until the first to occur of the following: (i) amendment or termination of this regulation pursuant to a subsequent order or (ii) expiration or earlier termination of the Emergency.

5. SALE OF ALCOHOL FOR ON-PREMISES CONSUMPTION: Pursuant to City Code subsection 2-427(c) the Mayor hereby establishes the following regulation concerning the sale and dispensing of alcoholic beverages pursuant to a permit for on-premises consumption:

(a) Alcoholic beverages shall not be sold or dispensed for on-premises consumption after 9:00 pm.


(b) This regulation goes into effect on March 17, 2020, at noon and continues in effect until the first to occur of the following: (i) amendment or termination of this regulation pursuant to a subsequent order or (ii) expiration or earlier termination of the Emergency.

6. ENFORCEMENT: Violation of this order is a municipal ordinance violation, and the provisions of City Code section 1-7 apply to any violation of this order.

7. **MAYORAL AUTHORITY:** In the event the Mayor is absent, incapacitated, or otherwise unavailable during the Emergency, any power granted to the Mayor by this order may be exercised by the City officer or staff member acting in the capacity of Mayor pursuant to City Code section 2-425(b).

8. **DURATION OF AUTHORITY:** Pursuant to City Code section 2-425(d)(3), the emergency powers invoked by this order may be exercised only during the Emergency unless a longer time period is provided for by the Emergency Code.

This order will have full force and effect of law when filed with the City Clerk.

Sign: 
Rick Kriseman, Mayor



Filed with the City Clerk:

Sign: 

Name: Phan Srinivasa

Title: City Clerk

Date: 3/16/20

Time: 6:50 pm