

TOWN OF INDIALANTIC, FLORIDA
EMERGENCY EXECUTIVE ORDER NO.
2020-07 REGARDING COVID 19

*Declaring a Local State of Emergency and Limiting
Hours for Access to Beach*

WHEREAS, on March 27, 2020, the Town of Indialantic declared a state of local public emergency due to the spread of the Novel Coronavirus Disease 2019 ("COVID-19") in Florida; and

WHEREAS, Emergency Executive Order No. 2020-01 also limited access to the Atlantic Ocean beach based on findings of large gatherings of beachgoers on weekends in gatherings of over 10 people and which gathering were not practicing social distancing of at least 6-feet between all persons at all times; and

WHEREAS, the intensity of COVID-19 in Florida and in Brevard County has been increasing over the past week; and

WHEREAS, the Mayor and the Town Manager of the Town of Indialantic have determined that it is necessary to continue the Declaration of a State of Local Emergency and to exercise the necessary powers permitted by Section 5-3 of the Town Code of Ordinances and Chapter 252, Florida Statutes, so as to ensure the preparations and response of the Town will be sufficient to address COVID-19; and

WHEREAS, the Mayor, or in his absence the Deputy Mayor, is authorized to issue additional Emergency Orders relating to the State of Public Emergency authorized from time to time, as well as extensions of this Declaration.

NOW, THEREFORE, I, David Berkman, as Mayor of the Town of Indialantic and Michael Casey, as Town Manager of the Town of Indialantic, by virtue of above-mentioned authority, and all other applicable laws, promulgate the following Order to take immediate effect.

SECTION 1. Each and every of the foregoing recitals ("WHEREAS" clauses), and the recitals in Emergency Order No. 2020-01, are hereby incorporated in this Declaration of Local Public Emergency.

SECTION 2. That a State of Local Public Emergency declared for the Town of Indialantic by Emergency Order No. 2020-01 with all powers and directives set forth therein is hereby extended for the period May 8, 2020 until May 15, 2020.

SECTION 3. During the time that this Emergency Order is in effect, all beaches located in Town of Indialantic are allowing activities, such as sunbathing, sitting in chairs, surfing, fishing, swimming, walking and jogging; however, activities must be conducted in groups of no more than 10 people. Parking from Fifth Ave. south on Wave Crest Ave. will remain closed until May 11, 2020 at 6:00 a.m. All other beach parking areas will open on May 8, 2020 at 6 a.m.

SECTION 4. Severability. In the event a court of competent jurisdiction shall hold or determine that any part of this Executive Order is invalid or unconstitutional, the remainder of the Executive Order shall not be affected thereby, and this instrument shall be read as presuming that the Mayor and the Town Manager did not intend to enact such invalid or unconstitutional provision. This instrument shall further be read without said invalid and unconstitutional provision thereby causing said remainder to remain in full force and effect.

SECTION 5. This Declaration of Local Public Emergency shall immediately be filed in the records of the Town Clerk.

SECTION 6. Effective Date. This Executive Order shall become effective on May 8, 2020 at 12:01 a.m.

[INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, we have hereunto set our hands and caused the Seal of the Town to be affixed at Indialantic, Florida, this 7th day of May, 2020.



A handwritten signature in black ink, appearing to read "David Berkman".

David Berkman, Mayor

A handwritten signature in blue ink, appearing to read "Michael Casey".

Michael Casey, Town Manager

ATTEST:

A handwritten signature in black ink, appearing to read "Rebekah Raddon".

Rebekah Raddon, Town Clerk

(TOWN SEAL)