TOWN OF INDIALANTIC, FLORIDA

EMERGENCY EXECUTIVE ORDER NO. 2020-04 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 April 17, 2020 until April 24, 2020.

SECTION 3. During the time that this Emergency Order is in effect, all beaches located in Town of Indialantic are closed to all activities, except walking, jogging, biking, fishing, surfing and swimming. Activities such as sunbathing, sitting in chairs, organized sports or lying on blankets and grouping of persons is not permitted. People will not be allowed to congregate on boardwalks and access areas. Compliance with the U.S. Center for Disease Control recommendations with regard to social distancing shall apply in all circumstances. When activities are complete, beachgoers shall be required to leave the beach area.

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 April 17, 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 16 day of April, 2020.

David Berkman, Mayor

Michael Casey, Town Manager

ATTEST:

Rebekah Raddon, Town Clerk

(TOWN SEAL)