

RESOLUTION NO. 71-20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, CONFIRMING A DECLARATION OF A STATE OF EMERGENCY; DESIGNATING CERTAIN AREAS OFF LIMITS; POSTPONING, CANCELLING AND SUSPENDING CERTAIN MEETINGS AND HEARING OF CITY BOARDS; PROHIBITING THE GATHERING OF TEN OR MORE PEOPLE ON CITY-OWNED PROPERTY; REGULATING THE CLOSING OF BARS, NIGHTCLUBS, AND RESTAURANTS; AND LIMITING THE OCCUPANCY OF BARS, NIGHTCLUBS AND RESTAURANTS DURING ALL HOURS OF OPERATION.

WHEREAS, a State of Emergency in the City of Delray Beach was proclaimed by the City Commission on March 13, 2020 due to the spread of the Novel Coronavirus Disease 2019 (COVID-19); and

WHEREAS, conditions arising from COVID-19 have seriously affected the safety and security of the lives of the citizens of the City of Delray Beach; and

WHEREAS, Chapter 95 of the City of Delray Beach Code of Ordinances authorizes the declaration of the designation of certain areas within the City limits as "off limits" during a state of emergency as well as other measures intended to protect the health, safety and welfare of the citizens of Delray Beach and the public at large.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. A declaration of a State of Emergency proclaimed on March 13, 2020 is hereby confirmed.

Section 2. COVID-19 has seriously affected and created conditions which threaten the safety and security of the lives of the citizens of Delray Beach and thereby requires the designation of the following areas as off limits to all except personnel authorized by the Police and Fire Departments:

- A. Delray Beach Public Library;
- B. All City of Delray Beach Museums;
- C. Pompey Park Community Center, Veterans Park Community Center, 505 Teen Center and Hobbit Skate Park, Catherine Strong Community Center, and the Delray Beach Community Center.

Section 3. The following events and activities within the City of Delray Beach are postponed, cancelled or suspended:

- A. All meetings of City boards, including all advisory and statutory boards, and City Committees;

- B. All Special Magistrate, Code Enforcement, and Board of Adjustment hearings;
- C. All City recreational programs and facilities, facility rentals, and organized sports leagues.

Section 4. All public gatherings of any type, whether organized or otherwise, of greater than 10 persons on any City-owned property are prohibited.

Section 5. All bars, nightclubs, and restaurants are mandated to close for business daily at or before 10:00 PM and remain closed until at least 6:00 AM the following day. Restaurant delivery or take-out service shall be exempt from this regulation.

Section 6. All bars, nightclubs, and restaurants must reduce and limit their occupancy by 50% during all hours of operation.

Section 7. All citizens and visitors of the City of Delray Beach are directed to comply with these emergency regulations and necessary measures, which shall be strictly enforced, and to cooperate with public official and public safety personnel in executing any emergency operational plans, and to obey and comply with the lawful direction of all properly identified public officers.

Section 8. This resolution shall take effect on March 17, 2020.

Section 9. All violations of the provisions of this resolution shall be subject to prosecution under Section 95.99 of the Delray Beach Code of Ordinances.

PASSED AND ADOPTED on this the 16<sup>th</sup> day of March, 2020.

  
\_\_\_\_\_  
George Gretsas, City Manager

ATTEST:

  
\_\_\_\_\_  
Kateri Johnson  
City Clerk

Approved as to form and legal sufficiency:

  
\_\_\_\_\_  
City Attorney