

**ORDINANCE NO. 11-2020**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA DECLARING A STATE OF EMERGENCY IN THE TOWN OF JUPITER; PROVIDING FOR PENALTIES FOR FAILURE TO OBEY LAWFUL ORDERS OF THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Governor of the State of Florida and the Board of County Commissioners of Palm Beach County have declared states of emergency due to the outbreak of the Coronavirus Disease 2019 (COVID-19), a pandemic; and

**WHEREAS**, the Surgeon General and State of Health Officer have declared that a public health emergency exists; and

**WHEREAS**, the presence of COVID-19 in the County and Town has the capacity to pose a significant, imminent and dangerous threat to the public health, safety, and welfare of the residents and visitors of the Town, as well as the employees and appointed and elected officers who serve the Town; and

**WHEREAS**, this Ordinance constitutes an Emergency Ordinance pursuant to § 166.041 (3)(b), *Fla. Stat.*, and as such is not required to comply with the provisions of § 166.041 (3)(b), *Fla. Stat.*; and

**WHEREAS**, pursuant to Chapter 166, *Fla Stat.*, the Town Council hereby declares and enacts a State of Local Emergency for a period of seven (7) days, thereby waiving the procedures and formalities otherwise required of the Town or State of Florida by laws pertaining to:

1. Performance of public work and taking whatever action is necessary to insure the health, safety and welfare of the residents and visitors to the

Town, the employees and appointed and elected officers of the Town;

2. Entering into contracts;
3. Incurring obligations;
4. Employment of permanent and temporary workers;
5. Utilization of volunteer workers;
6. Rental of equipment;
7. Acquisition and distribution, with or without compensation, of supplies, materials and facilities;
8. Appropriation and expenditure of public funds;
9. Deployment of personnel

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA:**

**Section 1:** The Whereas Clauses are incorporated herein.

**Section 2.** The Town Council hereby declares that a State of Local Emergency exists within the Town of Jupiter. For definition purposes, a State of Local Emergency shall exist whenever there is an occurrence or threat thereof whether accidental, natural, or caused by man, in war or in peace, which results in or may result in substantial injury or harm to the population and/or substantial damage to or loss of property. The duration of the State of Local Emergency is limited to seven (7) days. The Town Manager is hereby authorized to extend this State of Local Emergency in seven (7) day increments.

**Section 3.** The Town Manager, or his designee is hereby empowered, authorized and directed to exercise such emergency powers, including but not limited to

the enactment of curfews, the adoption of administrative policies adjusting the compensation, work hours, etc. of employees to the extent he deems it to be necessary to reduce the vulnerability of the Town's residents, visitors, employees and appointed and elected officers due to the presence of COVID-19. These powers and the Town Manger's authority as enacted herein are in addition to any other existing powers expressly or implicitly conferred upon the Town Manager pursuant to Florida Statutes and any provisions of Town's Charter, and its laws and ordinance.

**Section 4.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**Section 5.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 6.** This ordinance shall become effective immediately upon its adoption and execution.

Upon Reading this 19<sup>th</sup> day of March, 2020, the foregoing Ordinance was offered by Ilan Kaufner, who moved its adoption. The motion was seconded by Ron Delaney, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR TODD R. WODRASKA	✓	_____
VICE-MAYOR JIM KURETSKI	✓	_____
COUNCILOR RON DELANEY	✓	_____
COUNCILOR ILAN KAUFER	✓	_____
COUNCILOR WAYNE R. POSNER	<u>absent</u>	_____

The Mayor thereupon executed Ordinance 11-20 on this 19<sup>th</sup> day of March, 2020.

TOWN OF JUPITER, FLORIDA

ATTEST:

Sally M. Boylan  
 SALLY M. BOYLAN, MMC  
 TOWN CLERK

BY: Jim Kuretski  
 for  
 vice  
 TODD R. WODRASKA  
 MAYOR

(TOWN SEAL)



Thomas J. Baird, Esq.  
 THOMAS J. BAIRD, ESQ.  
 Approved as to form and  
 legal sufficiency