

# *PROCLAMATION*

**WHEREAS,** the Governor of the State of Florida, Ron DeSantis, issued Executive Order 20-52, declaring a State of Emergency in response to COVID-19, on March 9, 2020; and

**WHEREAS,** the Town of Indian Shores met on March 17, 2020, to declare a State of Emergency, and met on March 23, 2020, to pass Resolution 04-2020, to delegate authority to the Mayor, Town Administrator, and Chief of Police, to enact continuing Proclamations every seven (7) days, as required by Chapter 252, Florida Statutes; and

**WHEREAS,** the Pinellas County Board of County Commissioners met on March 13, 2020, concerning the threat of COVID-19, also known as “**Corona Virus**”, a global pandemic that will impact the State of Florida, and has declared a “**Local State of Emergency**”; and

**WHEREAS,** the Pinellas County Board of County Commissioners met on March 25, 2020, to enact the “COVID-19 SAFER AT HOME ORDER”; and

**WHEREAS,** Governor DeSantis issued a Executive Order 20-91 and 20-92, directing citizens to stay at home, defining essential business, and providing for local government authority; and

**WHEREAS,** Governor DeSantis issued Executive Order 20-112 as part of Phase I of the Re-Opening Florida Plan, and under such Order has directed that restaurants may re-open indoor seating at 25% capacity and outdoor seating under approved social distancing guidelines; and

**WHEREAS,** the purpose of the Proclamation is to continue in effect the Town’s Emergency Management Plans and Ordinances, enact guidance under the Town Code in response to the Governor’s Executive Order, and authorize all Town officers, employees, and agents to perform their respective duties, functions, and obligations as set forth therein, and in the State Emergency Management Act and the Statewide Mutual Aid Agreement, and all other legal authority, under the general direction and control of the Incident Commander as required by law;


**NOW, THEREFORE, BE IT PROCLAIMED** that I, Patrick C. Soranno , Mayor of the Town of Indian Shores, Pinellas County, Florida, do hereby proclaim pursuant to Chapter 26-72 of the Town’s Code of Ordinances, Town of Indian Shores Resolution 04-2020, and Chapter 252, Florida Statutes, a “**State of Emergency**” continues to exist in the Town of Indian Shores, and all State, Local and Federal Orders pertaining to COVID-19 remain in full force and effect, and in response to the issuance of EO 20-112, do hereby enact the following guidelines applicable to outdoor seating at restaurants for the duration of this Proclamation:

1. Restaurants that currently have outdoor seating may utilize their outdoor seating by following social distancing guidelines in accordance with the Governor’s Executive Order 20-112 and may submit a request to use additional space as provided below;
2. Restaurants that do not currently have outdoor seating may open up outdoor seating that follows social distancing guidelines in accordance with the Governor’s Executive Order 20-112, which takes effect on May 4, 2020, after submitting an application and receiving written approval from

the Town of Indian Shores Building Official, Fire Marshal and Chief of Police based on the following criteria:

- a. The restaurant shall use available space other than parking spaces unless the social distancing guidelines limit the available tables to less than four (4).
- b. If there is not enough available space outside of a driveway or parking area, the restaurant may utilize no more than three (3) dedicated parking spaces for outdoor seating unless special circumstances particular to the subject location are demonstrated in the application.
- c. The seating area must have an appropriate barricade separating the seating area from the parking area or driveway, and may not inhibit the orderly flow of traffic, ingress or egress from the adjacent building, or otherwise cause a fire hazard.
- d. The proposal must show the available space, including accurate measurements and both the capacity and distance between tables.
- e. In approving outdoor seating proposals, the Building Official shall take into consideration the setback requirements of Section 110-327 of the Town of Indian Shores Land Development Code and whether the abutting properties to the seating area are residential or commercial.
- f. In accordance with Section 34-84 of the Indian Shores Code of Ordinances, any outdoor seating areas approved under this Proclamation may not operate between the hours of 10:00 p.m. and 8:00 a.m.
- g. The Town may revoke these temporary standards at any time for the health, safety and welfare of the community.

In Witness Whereof, I have here unto set my hand and caused the Seal of the Town of Indian Shores, Florida, to be affixed this 1<sup>st</sup> day of May, 2020.

  
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Patrick C. Soranno  
Mayor

ATTEST:  
  
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Freddie Lozano  
Town Clerk