



CITY OF TAMPA

— OFFICE OF THE MAYOR —

Jane Castor, Mayor

EXECUTIVE ORDER 2021 -36

WHEREAS, on July 3, 2021, by Executive Order Number 21- 150, Governor Ron DeSantis declared that a State of Emergency exists in several counties in the State of Florida, including Hillsborough County, due to Tropical Storm Elsa; and

WHEREAS, by Order dated July 4, 2021, the County Administrator of Hillsborough County declared a countywide state of emergency in Hillsborough County in response to the threat posed by Tropical Storm Elsa; and

WHEREAS, Section 2-402 of the City of Tampa Code provides that a Local State of Emergency shall be declared by Executive Order of the Mayor if the Mayor finds that an emergency (as defined in Section 253.34, Florida Statutes) has occurred in the City of Tampa, or the threat thereof is imminent; and

WHEREAS, Tropical Storm Elsa, with maximum sustained winds of 65 mph, may or will directly affect the City of Tampa beginning no later than July 6, 2021; and

WHEREAS, because of the threat of hurricane force winds, flooding, and storm surge, a danger exists to the citizens of the City of Tampa; and

WHEREAS, as Mayor of the City of Tampa I hereby find that Tropical Storm Elsa and the imminent threat of substantial injury and harm to the citizens, and the threat of substantial damage to property, constitute an emergency as defined in Section 252.34, Florida Statutes.

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the City of Tampa pursuant to Section 2-402 and 2-403 of the City of Tampa Code, the Charter of the City of Tampa, the Laws of the State of Florida, and the Governor's Executive Order Number 21-150, and based on the recital clauses set forth above and incorporated herein by reference, I hereby find and declare a state of emergency exists as of the date set forth below in connection with the imminent arrival of Tropical Storm Elsa, and in order to protect the health, safety and welfare of the citizens of the City of Tampa, I hereby prescribe and promulgate the following:

SECTION 1. Mayor's Continuity of Government Powers. Pursuant to Section 2-403 of the City of Tampa Code, the procedures and formalities otherwise required of the City by law

or ordinance are waived pertaining to the following: performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community; entering into contracts; incurring obligations; employment of permanent and temporary workers; utilization of volunteer workers; rental of equipment; acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and appropriation and expenditure of public funds.

SECTION 2. Additional Specific Restrictions Authorized. Pursuant to Section 2-404 of the City of Tampa Code, as the need or circumstance arises, any or all of the following specific restrictions contained in Section 2-404(a) may be imposed in response to the state of emergency:

- a. Prohibit or regulate the purchase, sale, transfer or possession of explosives, combustibles, dangerous weapons of any kind (except firearms which may be restricted by F.S. § 870.044), or alcoholic beverages;
- b. Prohibit or regulate any special event, demonstration, parade, march, vigil or participation therein from taking place on any of the public rights-of-way or upon any public property;
- c. Prohibit or regulate the sale or use of gasoline, kerosene, naphtha or any other explosive or flammable fluids or substances altogether, except by delivery into a tank properly affixed to an operable motor vehicle, bike, scooter, boat, or airplane and necessary for the propulsion thereof;
- d. Prohibit or regulate the participation in or carrying on of any business activity, and prohibit or regulate the keeping open of places of business, places of entertainment and any other place of public assembly;
- e. Prohibit or regulate travel upon any public street, highway or upon any other public property. Persons in search of medical assistance, food or other commodity or service necessary to sustain the well being of themselves or their families or some member thereof may be excepted from such prohibition or regulation;
- f. A curfew upon all or any portion of the city thereby prohibiting persons from being on public streets, highways, parks or other public places during the hours which the curfew is in effect;
- g. Prohibit state and/or local business licensees, vendors, merchants and any person operating a retail business from charging more than the normal average price for any goods, materials or services sold during a declared state of local emergency, except that the normal average price for any merchandise may be increased, but only to the degree that the maximum increase in retail price shall be a percentage less than or equal to the amount representative of the average mark-up percent between wholesale and average retail price for any merchandise during the thirty-day period immediately preceding the declared state of local emergency. The normal average price as used herein is defined to be that price at which similar merchandise, or services, has been sold during the thirty (30) days immediately preceding the declaration of a state of local emergency;

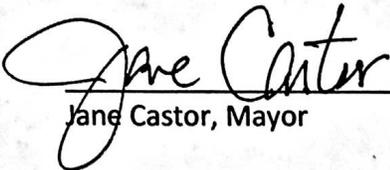
- h. Prohibit any person, firm, or corporation from using the fresh water supplied by the city for any purpose other than cooking, drinking or bathing.

SECTION 3. Exemptions from limitations for government, public safety and health personnel. Pursuant to Section 2-404(b) of the City of Tampa Code, during the duration of this emergency and to the extent necessary, the following individuals are exempt from the restrictions contained in Section 2-404(a) above: physicians, nurses, ambulance operators performing medical services, on-duty employees in hospitals and other medical facilities, on-duty military personnel, personnel of public utilities maintaining essential public services, city authorized or requested firemen, law enforcement officers and personnel and such other classes of persons as I deem essential to the preservation of public order or necessary to serve the safety, health and welfare of the citizens of the City of Tampa during this emergency.

SECTION 4. Effective Date and Duration. This Executive Order shall take effect immediately on the date set forth below and shall remain in effect for seven (7) days, unless terminated earlier.

SECTION 5. Enforcement. Pursuant to Section 252.50, Florida Statutes, a violation of this Order is a second degree misdemeanor which carries a penalty of up to 60 days imprisonment and/or a \$500 fine.

DONE and ORDERED this 4 day of July, 2021.


Jane Castor, Mayor

PREPARED AND APPROVED BY:

E/S
Gina K. Grimes, City Attorney