

**AN ORDER OF THE MAYOR INITIATING  
CERTAIN EMERGENCY POWERS  
PURSUANT TO CITY CODE CHAPTER 2,  
ARTICLE VIII, DIVISION 2, FOR THE  
PURPOSE OF RESPONDING TO  
COVID-19.**

**WHEREAS**, contemporaneously with this order, Rick Kriseman (the “**Mayor**”), pursuant to St. Petersburg City Code section 2-425(c), declared a state of local emergency in the City of St. Petersburg, Florida, (the “**City**”) for the purpose of responding to Novel Coronavirus Disease 2019 (“**COVID-19**”); and

**WHEREAS**, that state of local emergency (the “**Emergency**”) went into effect as of March 12, 2020, at 5:00 pm, and remains in effect; and

**WHEREAS**, City Code chapter 2, article VIII, division 2, (the “**Emergency Code**”) allows the Mayor to initiate the exercise of certain emergency powers during a state of local emergency through one or more written orders made in accordance with the provisions of the Emergency Code; and

**WHEREAS**, the Mayor finds that COVID-19 poses an immediate danger to the public health, safety, or welfare that requires emergency action; and

**WHEREAS**, the Mayor finds that invoking certain general emergency powers authorized by City Code section 2-426 will facilitate the City’s efforts to prepare for potential damage, injury, or loss of life or property within the City as a result of COVID-19 and is, therefore, necessary to protect the public interest; and

**WHEREAS**, the Mayor finds that establishing a prohibition against price gouging pursuant to City Code section 2-427(g) and prohibiting public assemblage, subject to designated exceptions, pursuant to City Code section 2-427(e) are necessary to protect the public interest as more particularly described in this order; and

**WHEREAS**, the Mayor finds that the procedure used to make this order is fair under the circumstances.

**NOW, THEREFORE, IT IS ORDERED** by the Mayor that, in consideration of the findings set forth in this order and pursuant to the Emergency Code:

**1. General emergency powers:** Pursuant to City Code section 2-426, the following emergency powers are hereby invoked and may be exercised by the Mayor generally, without issuance of a written order for each specific exercise of that power:

- (a) *Utilization of City resources.* The Mayor may utilize any available resource of the City government necessary to cope with the Emergency.
- (b) *Emergency housing and warehousing.* The Mayor may make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.
- (c) *Emergency operations centers and shelters.* The Mayor may establish emergency operations centers and shelters in addition to or in place of those provided for in the City's emergency plan.
- (d) *Confiscation.* The Mayor may order confiscation of any merchandise, equipment, vehicle, or other property needed to alleviate the Emergency. No more than 60 days after termination of the Emergency, the City shall either (i) return the confiscated property to its owner or (ii) compensate the owner of the confiscated property in an amount equal to the customary value charged for the property during the 90 days preceding the Emergency.
- (e) *Coordination and requests for assistance and resources.* The Mayor may coordinate with and request emergency assistance and resources from any federal, state, or local government, in accordance with the following, as applicable: (i) the Florida Comprehensive Emergency Management Plan; (ii) the Florida Emergency Management Assistance Compact; (iii) any interlocal agreement or mutual aid agreement to which the City is a party; and (iv) as otherwise authorized by law.
- (f) *Procurement.* The Mayor may invoke any of the following, individually or in combination: (i) any provision of State law regarding the emergency procurement of goods or services; and (ii) the City's provisions for emergency procurement in City Code section 2-213. Any limit on expenditures imposed by any of these provisions does not limit overtime compensation for work performed by any City employee during the Emergency unless otherwise required by law.
- (g) *Waiver of procedures and formalities.* The Mayor, pursuant to Florida Statutes section 252.38(3), may waive the procedures and formalities otherwise required of the City pertaining to each of the following:
  - (i) Performance of public work and taking whatever prudent action is necessary to ensure the health, safety and welfare of the community.

- (ii) Entering into contracts.
  - (iii) Incurring obligations.
  - (iv) Employment of permanent and temporary workers.
  - (v) Utilization of volunteer workers.
  - (vi) Rental of equipment.
  - (vii) Acquisition and distribution, with or without compensation, of supplies, materials, and facilities.
  - (viii) Appropriation and expenditure of public funds.
- (h) *Suspension of enforcement.* The Mayor may suspend enforcement of any provision of City Code or any provision of any rule, regulation, policy, procedure, or other directive of any City department, if the Mayor determines that strict enforcement of that provision would prevent, hinder, or delay necessary action in coping with the Emergency. Any suspension of enforcement pursuant to this order is not intended to constitute (i) waiver of enforcement of that provision following the Emergency; or (ii) forgiveness of any fine, fee, or other cost that existed prior to the Emergency or that is incurred or accumulates during the Emergency.

**2. Price gouging:** Pursuant to City Code section 2-427(g), the Mayor hereby makes the following findings and, in consideration of those findings, establishes the following prohibition concerning price gouging:

- (a) The Mayor finds that establishing a prohibition against price gouging pursuant to City Code section 2-427(g) will enable residents to take preventative measures recommended by public health authorities for COVID-19 without being charged exorbitant prices and is, therefore, necessary to protect the public interest.
- (b) Accordingly, charging more than the average retail price for any merchandise, goods, or services sold in the City during the Emergency is hereby prohibited. For purposes of this prohibition, “average retail price” means the higher of the following: (i) the average price at which similar merchandise, goods, or services were sold during the 90 days preceding the Emergency; or (ii) the average wholesale cost plus the mark-up percentage that was charged for similar merchandise, goods, or services during the 90 days preceding the Emergency.

- (c) Violation of this prohibition is a municipal ordinance violation, and the provisions of City Code section 1-7 apply to any violation of this prohibition.

**3. Public Assemblage in Grand Prix Clean Zone:** Pursuant to City Code section 2-427(h), the Mayor hereby makes the following findings, and in consideration of those findings, establishes the following prohibition on public assemblage, subject to certain exceptions:

- (a) The Mayor hereby makes the following findings:

- (i) The Grand Prix of St. Petersburg (the “**Race**”) is an internationally recognized automobile race that brings large crowds of spectators to the City for the purpose of watching the Race.
- (ii) Pursuant to City ordinance 702-G, as amended, a certain area around the Race course is designated as a “**Clean Zone**” for the purpose of enacting certain regulations related to the Race, and that definition is incorporated into this order by reference.
- (iii) Clean Zone regulations go into effect during a certain period of time that are established on a per-Race basis by resolution of City Council known as “Race Days,” and on February 13, 2020, pursuant to resolution 2020-81, City Council established the period running from March 12, 2020, at 12:01 am through March 15, 2020, at midnight as the “Race Days” for the 2020 Race (the “**2020 Race Days**”).
- (iv) Prohibiting public assemblage by spectators or other non-essential personnel in the Clean Zone during the 2020 Race Days will reduce the risk of transmitting COVID-19 among residents and visitors of the City, and is, therefore, necessary to protect the public interest.

- (b) Accordingly, during the 2020 Race Days, public assemblage in the Clean Zone is prohibited in the right-of-way and on any other City-owned property except for the following exceptions:

- (i) This prohibition does not apply to a person providing designated, essential services, such as fire, police, or utility repair.
- (ii) This prohibition does not apply to a person providing medical services, including the transportation of patients to a health care facility and emergency calls by physicians.
- (iii) This prohibition does not apply to a person engaged in operations essential to the Race.

- (iv) This prohibition does not apply to a person engaged in pedestrian or vehicular travel through the Clean Zone.
- (v) This prohibition does not apply to a person on a vessel.
- (c) Violation of this declaration is a municipal ordinance violation, and the provisions of City Code section 1-7 apply to any violation of this declaration.

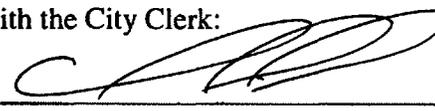
**4. Mayoral authority:** In the event the Mayor is absent, incapacitated, or otherwise unavailable during the Emergency, any power granted to the Mayor by this order may be exercised by the City officer or staff member acting in the capacity of Mayor pursuant to City Code section 2-425(b).

**5. Duration of authority:** Pursuant to City Code section 2-425(d)(3), the emergency powers invoked by this order may be exercised only during the Emergency unless a longer time period is provided for by the Emergency Code.

This order will have full force and effect of law when filed with the City Clerk.

Sign:   
Rick Kriseman, Mayor



Filed with the City Clerk:  
Sign:   
Name: Phan Srinivasa  
Title: City Clerk  
Date: 3/12/20  
Time: 5:52 pm