

1 Introduced by Council Member Pittman and Co-Sponsored by Council
2 Members Freeman, Cumber, Carlucci, Salem, and Morgan and amended by
3 the Finance Committee:

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6 **ORDINANCE 2020-759-E**

7 AN ORDINANCE RELATING TO PUBLIC ORDER AND
8 SAFETY; AMENDING CHAPTER 614, *ORDINANCE CODE*;
9 CREATING A NEW SECTION 614.102 (LARGE
10 GATHERINGS PROHIBITED) TO PROHIBIT LARGE
11 GATHERINGS AS IT RELATES TO PUBLIC HEALTH AND
12 SAFETY; CREATING A NEW SUBSECTION DEFINING
13 "LARGE GATHERINGS" AS 50 OR MORE INDIVIDUALS
14 ON OR NEAR PUBLIC RIGHTS-OF-WAY OR BUILDINGS;
15 CREATING A NEW SUBSECTION (OWNER'S CONSENT
16 REQUIRED; NOTICE OF PROHIBITED LARGE
17 GATHERINGS; SUNSET PROVISION ON DECEMBER 31,
18 2021) THAT PROVIDES THAT THE OWNER, LESSEE,
19 MANAGING AGENT OR PERSON IN CHARGE OF A
20 BUILDING OR PROPERTY MAY AUTHORIZE A LAW
21 ENFORCEMENT OFFICER TO REASONABLY REQUEST A
22 PERSON TO LEAVE THE BUILDING OR PROPERTY AND
23 MAY BE SUBJECT TO A \$500.00 CIVIL PENALTY FOR
24 FAILING TO DO SO; CREATING A NEW SUBSECTION
25 (EXCEPTIONS) TO EXEMPT INDIVIDUALS WHO RECEIVE
26 APPROVAL FOR SPECIAL EVENT PERMITS AND
27 INDIVIDUALS EXERCISING FIRST AMENDMENT
28 RIGHTS; PROVIDING AN EFFECTIVE DATE.

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30 **WHEREAS**, in March 2020, the World Health Organization declared

1 a pandemic due to the outbreak of COVID-19; and

2 **WHEREAS**, to reduce the spread of COVID-19, the Federal Centers
3 for Disease Control and Prevention ("CDC") recommends practicing
4 social distancing and minimizing personal contact with large
5 gatherings; and

6 **WHEREAS**, the Jacksonville City Council seeks to minimize
7 opportunities for person-to-person spread of the COVID-19 virus by
8 coordinating enforcement efforts with owners of properties where
9 large gatherings occur in order to advance public health and safety
10 of the community; now therefore

11 **BE IT ORDAINED** by the Council of the City of Jacksonville:

12 **Section 1. Chapter 614 (Public Order and Safety),**
13 **Ordinance Code, amended.** Chapter 614 (Jacksonville Public Order
14 and Safety), *Ordinance Code*, is hereby amended to create a new
15 Section 614.102 (Large Gatherings Prohibited) to read as follows:

16 **CHAPTER 614 PUBLIC ORDER AND SAFETY**

17 * * *

18 **Sec. 614.102. - Large Gatherings Prohibited.**

19 (a) **Large Gatherings** are defined as 50 or more individuals
20 standing or sitting closer than six (6) feet from each other,
21 outside of a completely-enclosed structure, in or near any public
22 right-of-way, property or building in the City for business or
23 social purposes, and which prevents the safe ingress, egress or
24 through-passage of individuals in a public right-of-way, on a
25 property or near a building, where the public has a right of
26 access, in violation of this Section.

27 (b) **Owner's Consent required; Notice of Prohibited Large**
28 **Gatherings; Sunset provision on December 31, 2021.** (i). The owner,
29 lessee, managing agent or person in charge of a building or
30 property shall prohibit unpermitted Large Gatherings and may
31 authorize a law enforcement officer to reasonably request

1 individuals to move or leave the public right-of-way, building or
2 property if any person within a Large Gathering is sitting or
3 standing in the public right-of-way, near a building or on the
4 property without consent. (ii). Whenever law enforcement has
5 responded to 2 or more Large Gatherings at a property, building or
6 public right-of-way, and the Owner fails to prohibit the Large
7 Gathering, a law enforcement officer shall issue a first warning to
8 the Owner notifying the Owner that he/she is in violation of this
9 Section, and that any subsequent violation shall be subject to a
10 \$500.00 civil penalty. Unless otherwise extended or terminated by
11 the Council, this legislation shall sunset on December 31, 2021.

12 (c) **Exceptions.** The provisions of this Section shall not
13 apply to outdoor gatherings authorized for (i) Special Events
14 pursuant to Chapter 191, Ordinance Code, (ii) individuals
15 exercising First Amendment rights of the United States and the
16 Florida Constitution, such as freedom of religion, freedom of
17 speech and the right of assembly; and (iii) any bona fide athletic
18 event, government-sanctioned activity or any other event where
19 COVID-19 precautions are implemented and enforced.

20 (d) For the purpose of this Section, the word "building"
21 shall be deemed to include, but not be limited to, retail or
22 service establishments such as restaurants, convenience stores,
23 laundromats, service stations and other similar establishments open
24 to the public.

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26 **Section 2. Effective Date.** This ordinance shall become
27 effective upon signature by the Mayor or upon becoming effective
28 without the Mayor's signature.

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30 Form Approved:
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1 /s/Cherry Shaw Pollock
2 Office of General Counsel
3 Legislation Prepared By: Cherry Shaw Pollock
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