

BOARD OF COUNTY COMMISSIONERS



INDIAN RIVER COUNTY EMERGENCY ORDER 2020-15

WHEREAS, on March 1, 2020, Governor Ron DeSantis, in his capacity as Governor of the State of Florida, issued Executive Order 20-51, directing the declaration of a public health emergency and establishing the State of Florida's response to COVID-19; and

WHEREAS, on March 1, 2020, the State Surgeon General declared a public health emergency in the State of Florida; and

WHEREAS, on March 7, 2020, Indian River County began making preparations to address COVID-19; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis, in his capacity as Governor of the State of Florida, issued Executive Order Number 20-52, declaring that a state of emergency exists in the State of Florida by reason of COVID-19; and

WHEREAS, at this time, there is no vaccine for COVID-19 and it is easily transmitted among people; and

WHEREAS, the CDC and Florida Department of Health continue to remind residents that by wearing a face covering and maintaining social distancing in public, the resident protects others from exposure as well as themselves; and

WHEREAS, the Florida Medical Association President Dr. Ronald Giffler recently issued a statement saying that "the Florida Medical Association, the state's largest physician organization, encourages local officials to adopt regulations requiring individuals to wear face coverings in public places" and applauded municipalities in Florida that have already adopted mandatory mask use ordinances; and

WHEREAS, Indian River County believes that requiring individuals serving the public to wear cloth face coverings will significantly help reduce the spread of COVID-19 and lessen the positive cases in Indian River County; and

WHEREAS, pursuant to section 101.10(1) of the Code of Indian River County, and Resolution 2019-55 of the Indian River County Board of County Commissioners, the County Administrator is authorized to declare a local state of emergency upon making a determination that a disaster has occurred or is imminent, requiring immediate and expeditious action; and

**OFFICE OF THE COUNTY ADMINISTRATOR
INDIAN RIVER COUNTY**

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WHEREAS, in my capacity as County Administrator, I determined that, by reason of COVID-19, the threat of a disaster had occurred or was imminent, requiring immediate and expeditious action, and declared that a local state of emergency existed in all of Indian River County, Florida, effective as of 8:00 a.m., on the 17th day of March, 2020; and

WHEREAS, in my capacity as County Administrator, I determined that, by reason of COVID-19, the threat of a disaster had occurred or was imminent, requiring immediate and expeditious action, and declared that a local state of emergency existed and continued to exist in all of Indian River County, Florida, on March, 24, March 31, April 7, April 14, April 21, April 28, May 5, May 12, May 19, May 26, June 2, June 9, June 16 and again on June 23, 2020; and

WHEREAS, by reason of such declarations of a state of emergency, and pursuant to the authority granted in me in my capacity as County Administrator, I am authorized to enter emergency orders necessary to ensure the health, safety and welfare of the residents of Indian River County, including, without limitation, those orders authorized in chapter 252, Florida Statutes, and chapter 101 of the Code of Indian River County, and other applicable law;

NOW, THEREFORE, this Emergency Order is issued ordering as follows:

1. All persons working in restaurants, grocery stores, food service, salons, gyms, any retail establishments, or businesses open to the public or any other indoor facility visited by the public where social distancing is not possible within unincorporated Indian River County shall wear face coverings.
2. All persons entering an indoor County facility including, but not limited to; the County Administration Building, libraries, iG center, fire rescue stations, etc. where social distancing is not possible shall wear face coverings.
3. All persons utilizing public transit and transportation in Indian River County shall wear face coverings.
4. All other persons physically present in any public place in Indian River County are strongly encouraged to wear face coverings.
5. A face covering includes any covering which snugly covers the nose and mouth, whether store bought or homemade, and which is secured in place. Persons who wear masks should review the CDC and Florida Department of Health guidelines regarding properly and safely applying, removing, and cleaning masks.
6. EXCEPTIONS: A face covering shall not be required for the following persons:
 - A. Persons under the age of two years;
 - B. Persons observing social distancing in accordance with CDC guidelines;

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- C. Persons for whom a face covering would cause impairment due to an existing health condition or disability;
- D. Persons working in a business or profession who do not have interactions with other persons;
- E. Persons working in a business or profession who maintain social distancing from another person or work in their personal office with no interactions from other persons;
- F. Persons working in a business or profession where use of a face covering would prevent them from performing the duties of the business or profession;
- G. Persons exercising, while maintaining social distancing;
- H. Persons eating or drinking;
- I. Public safety, fire and other life safety and health care personnel, as their personal protective equipment requirements will be governed by their respective agencies; or
- J. The requirement shall not apply when a person who is hearing-impaired needs to see the mouth of someone wearing a face covering in order to communicate.

THIS EMERGENCY ORDER is intended as a measure to seek voluntary compliance with the provisions contained herein and to educate and warn of the dangers of noncompliance. However, in the event voluntary compliance is not achieved, then in that event and as a last resort, a violation of this Emergency Order pursuant to Sections 252.47 and 252.50, Florida Statutes may be prosecuted as a misdemeanor of the second degree punishable as provided in Section 775.082 or 775.083, Florida Statutes.

THIS EMERGENCY ORDER shall be in effect in Indian River County, beginning at 8 a.m. on June 29, 2020 and will expire upon the expiration of the existing State of Local Emergency, as same may be extended by subsequent order or declaration, unless terminated by subsequent order of the Board of County Commissioners or the County Administrator.

DONE AND ORDERED this 26th day of June, 2020.



Jason E. Brown, Indian River County Administrator

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