



PROCLAMATION

COVID-19 Emergency Proclamation #5 Local Emergency Shelter in Place Measures

WHEREAS, *Novel* Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, the World Health Organization previously declared COVID-19 a Public Health Emergency of International Concern; and

WHEREAS, on March 1, 2020, Florida Governor Ron Desantis issued Executive Order number 20-51 directing the Florida Department of Health to issue a Public Health Emergency, and has subsequently confirmed that COVID-19 continues to spread throughout the State of Florida; and

WHEREAS, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

WHEREAS, on March 7, 2020, Governor Ron Desantis directed the Director of the Division of Emergency Management to activate the State Emergency Operations Center to Level 2 to provide coordination and response to the COVID-19 emergency; and

WHEREAS, on March 15, 2020, Mayor Holland issued a Proclamation for a local State of Emergency for the City of Palm Coast, which was extended on March 21, 2020 and again on March 28, 2020; and

WHEREAS, Mayor Holland issued City of Palm Coast Emergency Proclamation Related to "Stay Home Stay Safe" on March 22, 2020, Emergency Proclamation Related to Additional Requirements of Certain Individuals Traveling to Florida on March 30, 2020 and Emergency Proclamation Related to Vacation Rentals on March 30, 2020; and

WHEREAS, COVID-19 is a respiratory illness transmitted like other respiratory illness through person-to-person contact or by contact with surfaces contaminated with the virus. Persons infected with COVID-19 may become symptomatic anywhere from two to fourteen days after exposure. Symptoms include fever, cough or shortness of breath or difficulty breathing; and

WHEREAS, individuals with serious chronic health conditions and older adults are most at risk for becoming very ill with this disease; and

WHEREAS, the CDC and Florida Department of Health report that peer reviewed sources indicate that at this time the most effective way to combat COVID-19 is with social distancing to reduce transmission (e.g., quarantine and isolation); and

WHEREAS, a significant number of Floridians are at risk of serious health complications, including death, from COVID-19. Although most individuals who contract COVID-19 do not become seriously ill, persons with mild symptoms and asymptomatic persons with COVID-19 may place other vulnerable members of the public at significant risk; and

WHEREAS, a large surge in the number of persons with serious infection can compromise the ability of the healthcare system to deliver necessary healthcare to the public. Florida is experiencing a rapid increase in COVID-19 transmission that threatens the health of residents and risks overwhelming the healthcare system in the City of Palm Coast; and

WHEREAS, the age, condition and health of a significant portion of the population in Palm Coast places it at risk of serious health complications, including death, from COVID-19. Although most individuals who contract COVID-19 do not become seriously ill, persons with mild symptoms and asymptomatic persons with COVID-19 may place other vulnerable members of the public at significant risk; and

WHEREAS, limiting the number of people who may gather in the City of Palm Coast is necessary for the protection of public health. The limitations on large gatherings and use of social distancing decreases the risk of COVID-19 transmission to our most vulnerable populations and is especially important for people who are over 60 years old and those with chronic health conditions due to their higher risk of severe illness and death from COVID-19; and

WHEREAS, this Proclamation will reduce the likelihood that many individuals will be exposed to COVID-19, and will, therefore, slow the spread of COVID-19 in our community; and

WHEREAS, the CDC currently recommends mitigation measures for communities experiencing an outbreak including staying at home when sick, staying home when a household member is sick with respiratory disease symptoms if instructed to do so by public health officials or a health care provider; and

WHEREAS, the health safety and welfare of the City of Palm Coast residents, business, and visitors and staff is of the utmost importance to the City and additional future measures may be needed to protect the community; and

WHEREAS, Section 252.38, Florida Statutes, provides authority for local governments, such as the City of Palm Coast, to take actions in emergency situations including taking whatever action is necessary to ensure the health, safety, and welfare of the community; and

WHEREAS, Section IV of the City Charter City Council states:“(4) Powers and duties of the Mayor (a) Powers. In addition to the regular powers invested in any other Council member, the Mayor shall: be recognized by the governor for purposes of military law; have the power to declare an emergency situation;” .

NOW, THEREFORE, BE IT PROCLAIMED, by the Mayor of the City of Palm Coast, hereby proclaims:

Section 1. "SHELTER IN PLACE" ORDER

A. Subject only to the exceptions outlined in Sections 1(B) below, all persons living within the City of Palm Coast should remain in their homes or upon their own residential property ("Shelter in Place" Order). Public and private gatherings of any number of people are discouraged, however if they occur, are only to occur inside a residence, except as to those exempted activities described in Section 1(B). This provision does not apply to gatherings within a single household or dwelling unit.

B. Exceptions: Notwithstanding this "Shelter in Place" Order, all residents and visitors in the City may lawfully engage in the following activities:

(1) Essential Retail and Commercial Activities: Residents and visitors may engage in essential retail and commercial activities, including without limitation, travel to or from essential retail and commercial businesses, as described below, and set forth in the Emergency Proclamation of the City of Palm Coast “Stay Home Stay Safe” issued March 22, 2020, provided that individuals conduct all such activities in compliance with all measures advised by the CDC and FDOH, including but not limited to social distancing.

The following retail and commercial businesses are deemed essential and existing retail and commercial business locations of these businesses may remain open, but shall practice, and ensure persons interacting with and within such businesses practice, social distancing and all other measures as advised by the CDC and FDOH:

a. Except to the extent precluded by the Governor's Executive Order 20-72 or any subsequent Executive Order, healthcare providers and public health operations, including but not limited to: hospitals; doctors' and dentists' offices; urgent care centers, clinics, and rehabilitation facilities; physical therapists; mental health professionals; psychiatrists; therapists; research and laboratory services; blood banks, medical cannabis facilities; medical equipment, devices, and other healthcare manufacturers and suppliers; reproductive health care providers; eye care centers; home healthcare services providers; substance abuse providers; medical transport services; and pharmacies;

b. Grocery stores, farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments primarily engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, baby products, pet supply, liquor, fresh or

frozen meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This authorization to remain open includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operations of residences and other structures;

- c. Businesses engaged in food cultivation;
- d. Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- e. Newspapers, television, radio, and other media services;
- f. Gas stations, new and used automobile dealerships, and auto-supply, auto-repair, and related facilities;
- g. Banks and related financial institutions, including insurance firms and businesses supporting the financial services industry;
- h. Hardware, gardening, and building material stores;
- i. Contractors and other tradesmen, building management and maintenance (including janitorial companies servicing commercial businesses), home security firms, fire and water damage restoration, public adjusters, appliance repair personnel, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and other structures;
- j. Businesses primarily providing mailing, logistics, pick-up, and shipping services, including post office boxes;
- k. Private colleges, trade schools, and technical colleges, but only as needed to facilitate online or distance learning, perform critical research, or perform essential functions, and university, college, or technical college residence halls, but only to the extent needed to accommodate students who cannot return to their homes;
- l. Laundromats, dry cleaners, and laundry service providers;
- m. Restaurants and other facilities that prepare and serve food, but subject to the limitations and requirements of the Governor's Executive Orders 20-68 and 20-71. Schools and other entities that typically provide free food services to students or members of the public may continue to do so on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site under their control;
- n. Businesses that primarily supply office products needed for people to work from home (but not including businesses that primarily sell or lease furniture);
- o. Businesses that primarily supply other essential businesses, as defined this memorandum, with the support or supplies necessary to operate, and which do not interact with the general public, including cybersecurity firms (but not including businesses that primarily sell or lease furniture);
- p. Businesses that primarily ship or deliver groceries, food, goods, or services directly to residents;
- q. Airlines, taxis, and other private transportation providers providing transportation services via automobile, truck, boat, bus, or train;
- r. Businesses engaged in providing home-based care for seniors, adults, or children;

s. Assisted living facilities, nursing homes, adult day care centers, and home-based and residential settings for adults, seniors, children, and/or people with disabilities or mental illness;

t. Businesses providing professional services, such as legal or accounting services, to the extent those services are necessary to respond to legally mandated activities and such services cannot be performed from home and provided that such businesses operate in full compliance with all measures advised by the CDC regarding social distancing;

u. Landscape and pool care businesses, including residential landscape and pool care services;

v. Childcare facilities providing services that enable employees exempted in this Emergency Order to work as permitted. To the extent possible, childcare facilities should operate under the following conditions: Childcare must be carried out in stable groups of 10 or fewer (inclusive of childcare providers for the group); children and child care providers shall not change from one group to another; if more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix or interact with each other. All play equipment used by one group of children must be cleaned and sanitized before use by another group of children. Any child exhibiting symptoms consistent with COVID-19 illness shall not be allowed to stay in the childcare facility;

w. Government facilities and buildings in the City of Palm Coast;

x. Logistics providers, including warehouses, trucking, consolidators, fumigators, and handlers;

y. Telecommunications providers, including sales of computer or telecommunications devices and the provision of home telecommunications;

z. Businesses engaged in the provision of propane or natural gas;

aa. Businesses engaged in the provision of office space and administrative support necessary to perform any of the above-listed activities;

bb. Open construction sites, irrespective of the type of building;

cc. Businesses providing architectural, engineering, or land surveying services provided that such businesses operate in full compliance with all measures advised by the CDC regarding social distancing;

dd. Factories, warehouses, manufacturing facilities, bottling plants, or other industrial distribution and supply chain facilities used for essential products and industries for the U.S. domestic market;

ee. Waste management services, including business engaged primarily in the collection and disposal of waste;

ff. Private boat docking, fueling, marine supply, and other marina services for licensed commercial vessels;

gg. Hotels, motels, other commercial lodging establishments, and temporary vacation rentals, subject to the limitations stated in the Governor's Executive Order 20-87. Hotels, motels, and other commercial lodging establishments shall not accept new reservations for persons other than Essential Lodgers. "Essential Lodgers" are defined as:

- (1) healthcare professionals;
- (2) first responders;
- (3) National Guard members;

- (4) law enforcement;
- (5) local, state, or federal government employees;
- (6) airline crewmembers;
- (7) patients;
- (8) patients' families;
- (9) journalists;
- (10) others providing direct services in response to COVID-19;
- (11) displaced residents or visitors;
- (12) persons utilizing hotels as transitional living arrangements;
- (13) persons sheltering in hotels due to domestic violence;
- (14) hotel employees, service providers, and contractors; or
- (15) individuals who, for any reason, are temporarily unable to reside in their home due to exigent circumstances;
- hh. Veterinarians and pet boarding facilities;
- ii. Mortuaries, funeral homes, and cemeteries including funeral and cremation services;
- jj. Businesses, including regional, national, and global corporate headquarters, providing essential support services to any local, state, or federal government, pursuant to a contract with such government, or essential support functions to local, state, and international operations;
- kk. Any business that employs five (5) or fewer persons, including management/ownership, where the employees do not come in regular contact with the general public in the regular course of business and the business can conduct its business in a manner that complies with the recommended social distancing and other requirements of previous executive orders, except to the extent inconsistent with any Executive Order or regulation issued by the Governor of Florida, the state, or any federal authority;
- ll. Electrical production and distribution services;
- mm. Moving, storage, and relocation services;
- nn. Private recreation facilities and associated amenities for members only that are not subject to the provisions of the Governor's Executive Order 20-71, provided that all activities are conducted in compliance with all measures advised by the CDC and the State of Florida, including but not limited to social distancing.

(2) Outdoor Recreational Activities: Residents and visitors may engage in outdoor activity and recreation, including, without limitation, walking, hiking, running or cycling in areas not otherwise closed to the public pursuant to the Directives referenced herein, provided that individuals conduct all such activities in compliance with all measures advised by the CDC and FDOH, including but not limited to social distancing.

(3) Personal Support Activities: Residents and visitors may travel to and from their homes to care for or support a friend, family member, or pet in another household.

Section 3. The provisions of this Emergency Order shall be enforced within the corporate limits of the City of Palm Coast by the Flagler County Sheriff's Office, as the City's law enforcement

agency. Any violation of any rule or regulation set forth herein shall be punishable as provided by law and the Code of Ordinances of the City of Palm Coast.

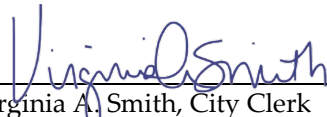
Section 4. All requirements of the City's Emergency Orders shall be strictly adhered to at all times.

Section 5. Effective Date. This Emergency Proclamation will take effect immediately and shall remain in effect until modified or terminated by subsequent order or until the Local State of Emergency for COVID-19 expires or is rescinded.

Signed, this 1st day of April, 2020.

Attest:

CITY OF PALM COAST, FLORIDA



Virginia A. Smith, City Clerk



Milissa Holland, Mayor

