

FLAGLER COUNTY EMERGENCY ORDER NO. 2020-08

AN EMERGENCY ORDER OF THE BOARD OF COUNTY COMMISSIONERS RELATED TO COVID-19 REQUIRING FACE COVERINGS INDOORS WHEN SOCIAL DISTANCING IS NOT POSSIBLE AND OUTLINING EXCEPTIONS.

WHEREAS, on March 1, 2020, the Governor issued Executive Order 20-51 directing the Florida Department of Health to issue a Public Health Emergency; 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 the COVID-19 virus; and

WHEREAS, on March 9, 2020, the Governor issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of the COVID-19 virus; and

WHEREAS, on March 16, 2020 Flagler County declared a local state of emergency due to the impacts of COVID-19, and has continued to renew that declaration on a weekly basis; and

WHEREAS, on April 29, 2020 the Governor issued Executive Order 20-112 implementing Phase 1 of the Safe. Smart. Step-by-Step. Plan for Florida's Recovery, for the majority of Florida's counties, effective May 4, 2020; and

WHEREAS, on June 3, 2020 the Governor issued Executive Order 20-193 implementing Phase 2 of the Safe. Smart. Step-by-Step. Plan for Florida's Recovery, for the majority of Florida's counties, effective June 5, 2020; and

WHEREAS, according to Florida Department of Health data, during the month of June the percent of daily new COVID-19 positive individuals in Florida and Flagler County has trended upwards; and

WHEREAS, on June 20, 2020 the Florida Department of Health issued a Public Health Advisory outlining the need for individuals to wear face coverings in any setting where social distancing is not possible; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") continues to recommend use of facial coverings to reduce the spread of COVID-19.

NOW, THEREFORE, it is hereby ordered:

Section 1. All persons within any indoor location of a business or government operation that is open to the public in Flagler County shall be required to wear a face covering when not maintaining social distancing from other person(s), excluding household members.

Section 2. The required face covering and social distancing shall be that described in current CDC COVID-19 Guidelines

Section 3. Nothing herein shall require the wearing of face coverings:

- a. By persons under the age of two years; and
- b. By persons observing social distancing in accordance with current CDC guidelines; and
- c. By persons for whom face coverings would cause impairment due to an existing health condition; and
- d. By persons working in a business or profession who do not have interactions with other persons; and
- e. By persons working in a business or profession who maintain social distancing from another person; and
- f. By 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; and
- g. By persons engaging in indoor exercise or sporting activities, where the facility has its own health and safety plan consistent with this Order; and
- h. By persons eating or drinking; and
- i. By public safety and health care personnel, following guidelines determined by their respective business or agency; and
- j. By persons communicating with a person who is hearing-impaired that requires to see the mouth of someone they are communicating with; and
- k. In a manner or situation that would conflict with the American with Disabilities Act (ADA).

Section 4. This Emergency Order will take effect upon filing with the Clerk of Courts of Flagler County in accordance with Section 252.46(2), Florida Statutes, 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.

DONE AND ORDERED, this 3rd day of July 2020.

Jerry Cameron,
County Administrator

Recommended:

Jonathan Lord,
Emergency Management Director

Approved as to Form:

Al Hadeed,
County Attorney