

FLAGLER COUNTY EMERGENCY ORDER NO. 2020-01

**AN EMERGENCY ORDER OF THE FLAGLER COUNTY
BOARD OF COUNTY COMMISSIONERS CLOSING
FLAGLER COUNTY BEACHES AND ALL COUNTY PARK
FACILITIES**

WHEREAS, Flagler County is under a Federal, State, and Local State of Emergency for the COVID-19 virus pursuant to Executive Orders of the Governor for the State of Florida (EO Nos. 20-51 and 20-52) and Flagler County Proclamation last amended on March 16, 2020; and

WHEREAS, Flagler County's Proclamation, in accordance with Chapter 252, Florida Statutes, and Section 12-34 of the Flagler County Code of Ordinances authorizes the County to take all necessary action and issue any necessary orders to protect human health and safety; and

WHEREAS, such orders when filed with the Clerk of Court have the force of law, and all existing laws, ordinances, and rules which are in conflict are suspended to the extent of such conflict pursuant to Section 252.46(2), Florida Statutes; and

WHEREAS, the President of the United States in conjunction with the U.S. Department of Health & Human Services through its Centers for Disease Control and Prevention (CDC) has issued community mitigation strategies which recommend avoiding social gatherings of ten or more people; and

WHEREAS, on March 17, 2020, the Governor of the State of Florida issued Executive Order 20-68, in accordance with the CDC guidelines, limiting gatherings on beaches to no more than ten persons, requiring groups on the beach to remain at six feet from other groups, and supporting the discretion of local authorities to close beaches entirely; and

WHEREAS, since the Governor's order, the rate of infection continues to grow statewide, as well as nationally; and

WHEREAS, it is critical to take action to limit the exposure of Flagler County citizens and employees to the COVID – 19 virus; and

WHEREAS, Chapter 7 of the Flagler County Code of Ordinances guarantees the right of the public to the customary use of the beaches of the County but allows the County Emergency Management Director to close any portion of the beach during emergency situations; and

WHEREAS, the County Emergency Management Director in consultation with law enforcement, health department and other government officials has determined that closing the County's beaches and the County's park facilities, including community centers, pavilions,



camping areas, beach park facilities, and other related park facilities, are of paramount public interest in preventing and mitigating the spread of the COVID - 19 virus; and

WHEREAS, licensed restaurant facilities are allowed to serve carryout under the Governor's emergency order and such facilities that have County leases will be permitted to operate at County parks provided that they maintain compliance with the Governor's emergency order and compliance with any directives of the Department of Business and Professional Regulation and the Department of Health to protect the health and safety of the public.

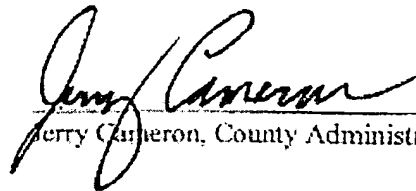
NOW THEREFORE, it is hereby ordered:

Section 1. The County's beaches and the County's park facilities, including community centers, pavilions, camping areas, beach park facilities, and other park facilities, are hereby closed until further order. This closure encompasses all facilities of these parks including parking lots, restrooms, dune walkovers, and the dry sand beach.

Section 2. Licensed restaurant facilities located in County parks under County leases are allowed to serve carryout food under the Governor's emergency order provided that they maintain compliance with the Governor's emergency order and comply with any directives from the Department of Business and Professional Regulation and the Department of Health to protect the health and safety of the public.

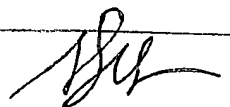
Section 3. This Emergency Order will take effect upon filing with the Clerk of Courts of Flagler County in accordance with Section 252.46(2), Florida Statutes, and shall remain effective until modified or terminated or until the Local State of Emergency for COVID-19 expires or is rescinded.

DONE AND ORDERED, this 22nd day of March 2020.


Jerry Cameron, County Administrator

Recommended:


Jonathan Lord, Emergency Management
Chief



Approved As To Form:


Al Hadeed, County Attorney

