



**MARTIN COUNTY
EMERGENCY ORDER 20-11
(FACE COVERINGS)**

WHEREAS, Section 51.4.C., General Ordinances, Martin County Code, authorizes the Director of the Emergency Management Agency to issue any such orders as are deemed necessary to protect life and property and preserve critical resources; and

WHEREAS, the Emergency Management Director has determined that a State of Local Emergency exists within Martin County; and

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 (WHO) has declared a pandemic related to COVID-19; and

WHEREAS, the Center for Disease Control and Prevention (CDC) has declared the potential public health threat posed by COVID-19 as “high”, both in the United States and throughout the world; and

WHEREAS, on March 1, 2020, Governor Ron DeSantis issued Executive Order 20-51, directing that a Public Health Emergency be declared in the State of Florida; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52, declaring a State of Emergency in the State of Florida regarding the COVID-19 pandemic; and

WHEREAS, it is the duty of Martin County to take protective measures – including activation of the emergency operations center, procurement of personal protective equipment, consequence management, and similar activities to support the public health and safety of the community; and

WHEREAS, at this time, there is no vaccine for COVID-19 and it is easily transmitted among people. As a result, a serious threat of impact from COVID-19 exists throughout Martin County; and

WHEREAS, the spread of COVID-19 poses a danger to life and the economic well-being of Martin County residents; and

WHEREAS, Martin County began implementing preparations to address the serious public health threat on January 31, 2020; and

WHEREAS, on April 1, 2020, the Governor of the State of Florida issued Executive Order 20-91 putting in place a state-wide safer at home order and which permitted various essential businesses and activities during the COVID-19 Emergency; and

WHEREAS, on May 4, 2020, Executive Order 20-112, Phase 1: Safe. Smart. Step-by-Step Plan for Florida's Recovery, which provides measures to slowly re-open Florida, became effective; and

WHEREAS, on May 18, 2020 Executive Order 20-123, Full Phase I: Safe. Smart. Step-by-Step Plan for Florida's Recovery, which expands measures to re-open Florida, became effective; and

WHEREAS, since the reopening efforts of Executive Order 20-112 and Executive Order 20-123, Martin County has seen an increase in COVID-19 positive cases, and in particular a spike in positive cases over the past several weeks since the May 18, 2020 Full Phase I re-opening efforts; and

WHEREAS, the Cleveland Clinic and doctors in our community have expressed grave concern that over the past month, hospital admittance for COVID-19 has had a significant increase in that admittance numbers have been doubling over the course of two-week intervals; and

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

WHEREAS, the CDC and the Cleveland Clinic have recommended that all persons wear cloth face coverings while in public to help control the spread of COVID-19; and

WHEREAS, Martin County needs to take additional steps to minimize the spread of COVID-19 in response to the recent spike in positive COVID-19 cases and hospital admittances; and

WHEREAS, Martin County believes that **requiring (strongly encouraging)** individuals serving the public to wear cloth face coverings will significantly help reduce the spread of COVID-19 and lessen the positive cases in Martin County.

NOW, THEREFORE, BE IT ORDERED AS FOLLOWS:

1. All persons working in restaurants, grocery stores, food service, any retail establishments, businesses open to the public or any other locations visited by the public where social distancing is not possible within incorporated and unincorporated Martin County, **shall (are strongly encouraged to)** wear face coverings.

2. **All other persons physically present in any public place in Martin County are strongly encouraged to wear face coverings.**

3. 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.

4. Medical and surgical masks, such as N95 masks or other similar medical surgical masks, should be reserved for health care personnel, police, fire fighters, emergency management and other first responders engaged in life/safety activities.

5. A mask shall not be required for persons who have trouble breathing due to a chronic pre-existing condition.

6. Any provisions within this Order that conflict with any state or federal law or constitutional provision, or conflicts with or are superseded by a current or subsequently-issued Executive Order of the Governor of the State of Florida or the President of the United States, shall be deemed inapplicable and deemed to be severed from this Order, with the remainder of the Order remaining intact and in full force and effect. To the extent application of some or all of the provisions of this Order is prohibited on the sovereign land of a federally or state recognized sovereign or Indian tribe, such application is expressly excluded from this Order.

7. This Order is in addition to the Executive Orders issued by Governor DeSantis.

8. Prior resolutions and emergency orders remain in full force and effect unless modified or superseded.

9. This Emergency Order shall be enforced pursuant to section 252.47, *Florida Statutes*. Violation of this Emergency Order is punishable pursuant to section 252.50, *Florida Statutes* as a misdemeanor of the second degree.

10. This Order shall be filed in the Office of the Clerk of the Circuit Court.

Signed this _____ day of _____, 2020 at _____ (am) (pm).

Michele Jones
Emergency Management Director
Martin County Board of County Commissioners

Concurrence: Taryn Kryzda
County Administrator
Martin County Board of County Commissioners

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Sarah W. Woods
County Attorney
Martin County Board of County Commissioners

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