



PROCLAMATION NO. 2020-01
Declaration of State of Local Emergency

WHEREAS, COVID-19 (Corona Virus) is a severe acute respiratory illness that first began its way into our lives January 20, 2020, which is spreading among humans through respiratory transmission and presents itself with similar symptoms to those of influenza; and

WHEREAS, the World Health Organization (WHO) previously declared COVID-19 a Public Health Emergency of International Concern and has now declared the COVID-19 outbreak to be Pandemic; and

WHEREAS, it is incumbent upon **Hernando County**, Florida, a political subdivision of the State of Florida, to take every measure to ensure the safety and well-being of its citizens and their property located in **Hernando County**; and

WHEREAS, on March 1, 2020 the Governor of the State of Florida issued Executive Order Number 20-51 declaring a public health emergency in the State of Florida due to reported cases of COVID-19 in the State of Florida; and

WHEREAS, on March 9, 2020 Governor DeSantis issued Executive Order Number 20-52 declaring that a state of emergency exists throughout the State due to the spread of COVID-19 and its imminent threat to the health and welfare of the citizens of Florida; and

WHEREAS, the Florida Division of Emergency Management has been directed to execute the State's Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to manage the emergency; and

WHEREAS, **Hernando County** must take timely emergency measures due to the potential for further spread of this deadly virus that could adversely affect the health and welfare of its residents and visitors; furthermore, it shall implement emergency plans and responses *post haste* to prepare now for adequate supplies and facilities to respond and treat COVID-19 patients; and

WHEREAS, pursuant to the powers vested in me by Chapter 252 and the **Hernando County Local Emergencies Ordinance, Chapter 21, Article XII**, which authorizes **Hernando County** to declare a state of local emergency; and

WHEREAS, this Proclamation is issued to allow **Hernando County** to prepare, staff, and equip the County with personnel, material, necessities, and equipment to address this emergency; and

WHEREAS, **Hernando County** has its first known positive case of COVID-19, thereby necessitating the immediate issuance of a Declaration of State of Local Emergency.

NOW, THEREFORE, I, John Mitten as Chairman of the Board of County

Commissioners of **Hernando County**, Florida, proclaim and declare as follows:

SECTION 1. A state of local emergency is hereby declared due to the likelihood that COVID-19 will strike **Hernando County** and advance preparation will be helpful in minimizing its attack.

SECTION 2. This State of Local Emergency is declared for a period of seven (7) days from the date of this proclamation, and may be altered, extended, or rescinded during the continued or threatened existence of the local emergency by the issuance of subsequent directives or orders by myself or my designee.

SECTION 3. During this State of Local Emergency, **Hernando County** may impose any and all emergency powers and restrictions enumerated herein and in its Emergency Plan which emergency powers and restrictions are incorporated, but not limited to herein by reference and made a part hereof, to wit:

(1) Waiver of Procedures and Formalities Otherwise Required to the Local State of Emergency, effective immediately, the procedures and formalities required of the County by law or ordinance are hereby waived as they pertain to:

- a. Performance of public work and taking whatever prudent action is necessary to ensure the health, safety and welfare of the community;
- b. Enter into contracts;
- c. Incurring obligations;
- d. Employment of permanent and temporary workers;
- e. Utilization of volunteer workers;
- f. Rental of equipment;
- g. Acquisition and distribution, with or without compensation, of supplies, materials, and facilities;
- h. Appropriation and expenditure of public funds.

(2) Prohibit or regulate any demonstration, parade, march, vigil or participation therein from taking place on any public right-of-way or upon any public property;

(3) Prohibit or regulate the participation in or carrying on of any business, activity, and the keeping open of places of business, places of entertainment, and any other place of public assembly when such activities may negatively impact public health, safety and welfare;

(4) Prohibit or regulate travel upon any public street or highway or upon any other public property. Persons in search of medical assistance, food or other commodity or service necessary to sustain the well being of themselves or their families may be exempted from such prohibition or regulation;

(5) A curfew upon all or any portion of the county prohibiting persons from being on public streets, highways, parks or other public places during the hours the curfew is in effect;

(6) Prohibit state and/or local business licensees, vendors, merchants and any other person operating a retail business from charging more than the normal average retail price for any goods, materials or services sold during a declared state of local emergency. The "average retail price," as used herein, is defined as that price at which similar goods, materials or services were being sold during the ninety (90) days immediately preceding the declared state of local emergency. If the wholesale price or the cost of obtaining the goods, materials or services has increased as a direct result of the

local emergency, the average retail price may be increased, but only to the degree that the maximum increase in retail price shall be less than or equal to the amount representative of the average mark-up between the wholesale and average retail price for any goods, materials or services during the ninety-day period immediately preceding the declared state of local emergency.

SECTION 4. By appropriate proclamation, decree, directive, or other lawful order, the County acting through its officers, employees, and agents and through the **Sheriff's Office of Hernando County**, may take any other necessary actions required to cope with the conditions related hereunder.

SECTION 5. The County Administrator is empowered to carry out all emergency responsibilities delegated by the Governor to the political subdivisions of the State.

SECTION 6. The County Administrator is authorized to convene all major health organizations in **Hernando County** to develop and coordinate, in conjunction with the Department of Health, the management of testing related to the COVID-19 crisis.

SECTION 7. The County Administrator is authorized to adjust work conditions, including leave policies, and suspend union bargaining agreements pursuant to the relevant articles herein, if necessary.

SECTION 8. Pursuant to Section 252.38(1), Florida Statutes, the County has jurisdiction over and serves the entire county. Therefore, all municipalities within **Hernando County** shall coordinate their preparation, response, or mitigation actions with the County Administrator, the Office of Emergency Management, and the County Health Department.

SECTION 9. All departments and agencies of **Hernando County** shall perform emergency functions as designated in the promulgated Emergency Plan and shall make available other resources of such departments and agencies as necessary to effectuate this Proclamation.

SECTION 10. This Proclamation may be extended by separate action of the Chairperson, or other authorized person, upon continuing emergency conditions.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused this Proclamation to become effective March 19, 2020 and through March 26, 2020 11:59 p.m., in Brooksville, **Hernando County**, Florida.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attested: 

DOUGLAS A. CHORVAT, JR.
CLERK OF COURT AND
COMPTROLLER

By: 

JOHN MITTEN
CHAIRMAN

Approved as to form and legal sufficiency

By: /s/ Jon A. Jouben
County Attorney's Office