

**LIMITATION ON TOURISM AND LODGING ORDER
(IN ACCORDANCE WITH EXECUTIVE ORDER 20-91 - COVID-19 DOCUMENT #8)**

WHEREAS, on March 14, 2020, a State of Local Emergency was declared by Brevard County (Covid-19 Document #1); and

WHEREAS, on March 16, 2020 the First Amendment to the State of Local Emergency Proclamation was issued (COVID-19 Document #2); and

WHEREAS, on March 18, 2020 the Second Amendment to the State of Local Emergency Proclamation was issued to close all beach public parking access in Brevard County (COVID-19 Document #3); and

WHEREAS, the COVID-19 virus poses a health threat to Brevard County residents and current visitors, particularly the elderly and others who are medically vulnerable; and

WHEREAS, minimization of contact is necessary to avoid risk of spreading the COVID-19 virus to the residents of and current visitors to, Brevard County; and

WHEREAS, on April 1, 2020, Governor DeSantis issued Executive Order 20-91 wherein he ordered that persons who are 65 years of age or older and persons who have significant underlying medical conditions shall stay at home and take all measures to limit the risk of exposure to COVID-19; and

WHEREAS, in Executive Order 20-91, Governor DeSantis further ordered that all persons in Florida shall limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities; and

WHEREAS, hotels, motels and other commercial lodging are identified in Executive Order 20-91 as essential services; and

WHEREAS, tourism is not identified as an essential service or essential activity in Executive Order 20-91; and

WHEREAS, on March 27, 2020, Governor DeSantis issued Executive Order 20-87 wherein he significantly restricted vacation rentals throughout the State of Florida until further notice; and

WHEREAS, high travel volumes and mass gatherings create an increased risk of escalating the spread of the COVID-19 virus; and

WHEREAS, Maria Stahl, DNP, RN, Administrator for the Florida Department of Health, opined that in her expert opinion that it would help to reduce the rate of infection to restrict travelers from coming to Brevard County; and

WHEREAS, Dr. Stahl was appointed as the Department of Health's (DOH) administrator in Brevard in November 2016 with the concurrence of Brevard County's Board of Commissioners,

and Dr. Stahl has worked 37 years in public health practice including 13 years in public health practice in Buffalo, New York; and

WHEREAS, Dr. Tai F. Yang, a pediatrician in Brevard County, Florida contacted Brevard County Emergency Management to request the reduced exposure of patients to the virus by reducing the number of tourists in the County; and

WHEREAS, according to a recent study of counties above 500,000 people throughout the country, Brevard County, as well as several other central Florida counties, were among those that had the highest average travel through March 27, 2020

(<https://www.nytimes.com/interactive/2020/04/02/us/coronavirus-social-distancing.html?action=click&module=Top%20Stories&pgtype=Homepage> and

<https://www.beckershospitalreview.com/rankings-and-ratings/20-us-counties-where-people-traveled-most-as-of-last-week.html>); and

WHEREAS, Brevard County seeks to reduce the travel rate and follow the limitations on movement directed by the Governor; and

WHEREAS, Brevard County intends to fully comply with Governor DeSantis' Executive Order 20-91 and take action locally to ensure that the people in Florida are staying home except for the limited purpose of obtaining or providing essential services or conducting essential activities; and

WHEREAS, per Dr. Stahl, acceleration of the number of cases of COVID-19 in the neighboring counties increases the risk that individuals in those counties may inadvertently bring the virus to Brevard County; and

WHEREAS, limiting the number of people entering Brevard County, Florida may reduce the rate of exposure to the COVID-19 virus within the County.

NOW THEREFORE, IT IS RESOLVED this 2nd day of April, 2020, that the COVID-19 pandemic continues to pose a serious threat to the health and lives of residents and current visitors of Brevard County and that to effectuate the limitations on residents of the State of Florida, as ordered by the Governor in Executive Order 20-91, Brevard County, Florida is closing to tourists and leisure visitors to minimize the risk of spreading the COVID-19 virus.

BE IT FURTHER RESOLVED that pursuant to the Brevard County Comprehensive Emergency Management Plan, the Policy Group hereby incorporates the Local State of Emergency Proclamation signed on March 14, 2020 and first amended on March 16, 2020, and amended on March 18, 2020 and the above WHEREAS clauses herein and hereby unanimously (by a ten to zero vote with none absent) authorizes the exercise of its authority and powers pursuant to Florida Statutes 252.38(3), to order the following:

ENFORCEMENT OF EXECUTIVE ORDER NO. 20-91 ISSUED BY GOVERNOR RON DESANTIS ON APRIL 1, 2020; TOURISM AS A NON-ESSENTIAL ACTIVITY AND CLOSURE OF BREVARD COUNTY TO TOURISTS; HOTEL AND CAMPGROUND DIRECTIVES AND ORDERS TO LIMIT NON ESSENTIAL ACTIVITY AND ALLOW SPECIFIED ESSENTIAL SERVICE SUPPORT SERVICES:

In order to protect the residents of Brevard County Florida from the ongoing public health threat posed by the COVID-19 pandemic and follow the guidelines regarding the “Safer at Home” Order, Executive Order 20-91, and in recognition of the limited definition of essential activities, therein, Brevard County finds tourism and general leisure activities related to tourism are not authorized under Executive Order 20-91. Accordingly, Brevard County is closing to all tourists and leisure visitors.

NOW THEREFORE, it is

ORDERED that:

1. To effectuate the limitations on residents of the State of Florida ordered by the Governor in Executive Order 20-91, Brevard County, Florida is closed to tourists and leisure visitors.
2. To implement the closure effective 12:01 a.m. on April 3, 2020, all hotels, motels, campgrounds, short term (defined as less than 28 days) vacation rentals, and other transient rentals to include marinas, recreational vehicle parks, and timeshares shall cease renting to tourists for 30 days. This ban shall not apply to rentals to transitory military personnel, first responders, healthcare workers, construction workers actively engaged in projects in Brevard County and others working or engaged in formal business in Brevard County, Florida. A letter from the lodger’s employer indicating the stay is work related or a doctor’s note justifying the need for the tourist(s) to shelter in place shall be required by the rental or lodging facility upon arrival at any of the listed facilities. The Sheriff of Brevard County or his sworn deputies may also require such persons to provide such letter from the lodger’s employer or doctor’s note. Current occupants shall be permitted to remain until the end of existing reservations or short term rental periods in effect. Individuals who hold reservations but are not yet occupying the facility may not check-in without meeting the foregoing conditions.
3. Nothing herein shall be applied in a manner that conflicts with Executive Order 20-87, Executive Order 20-91, and other applicable law.
4. All access and use of spoil islands and sandbars in Brevard County, Florida is prohibited.
5. These provisions shall remain in effect until April 30, 2020 or until expiration of Executive Order 20-91, as it may be extended by the Governor.

6. The penalty provisions of Section 252.50, Florida Statutes shall apply to any and all violations of this order.

252.50 Penalties.—Any person violating any provision of ss. 252.31-252.90 or any rule or order made pursuant to ss. 252.31-252.90 is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

7. Any municipality in Brevard County, Florida may opt out of this order by appropriate legislative action.

DONE, ORDERED AND ADOPTED this 2nd day of April, 2020.

ATTEST:



Joy Roth, Deputy Clerk

BOARD OF COUNTY COMMISSIONERS OF BREVARD
COUNTY, FLORIDA

By: 

Bryan Lober, Chair