

EMERGENCY EXECUTIVE ORDER NUMBER 2020-5

April 1, 2020

To: All Elected Officials, Department Heads, Division Chiefs, Independent Agencies, Authorities, Boards, Commissions, and Councils

From: Lenny Curry, Mayor

Subject: Emergency Non-Essential Business Closure

Pursuant to Section 674.206, Jacksonville Ordinance Code, on March 13, 2020, I issued Emergency Proclamation 2020-001, which proclaimed and declared a public emergency in the City of Jacksonville concerning the threat to the City's citizens, resources and general welfare posed by the COVID-19 pandemic. Once this emergency was declared, Section 674.206, Jacksonville Ordinance Code, grants me the authority to issue such executive orders, proclamations and regulations as I deem reasonable and necessary to fulfill my solemn responsibility to protect the City from this emergency threat. During the term of this emergency period, these emergency executive orders, proclamations and regulations have the full force and effect of law.

The U.S. Center for Disease Control (CDC) continues to provide guidance to reduce introduction of the COVID-19 virus into new communities and to slow the spread of infection in communities already affected by the virus. Because this virus is spread by close social contact, including among individuals who are currently asymptomatic, the Governor and I, and thousands of public officials have issued orders to assist in limiting the spread of the virus.

On March 16, 2020 President Donald J. Trump and the CDC issued *slow-the-spread* guidance advising individuals to adopt far-reaching social distancing measures such as avoiding gatherings of more than 10 people, and in states with evidence of community spread, recommending restrictions to certain establishments conducive to mass gatherings and congregations. The President extended such guidance on March 29, 2020, to be in effect until April 30, 2020.

On March 19, 2020, the Mayor of Miami-Dade County enacted emergency order 07-20, which required the closure of all non-essential retail and commercial businesses within their jurisdiction. Miami-Dade Executive Order 07-20, and two subsequently enacted amendments thereto, detailed over thirty (30) businesses and categories of businesses that the County deemed to be essential businesses that could continue to operate.

On March 30, 2020, Florida Governor DeSantis issued Governor's Executive Order 20-89, which ratified and expanded the Miami-Dade Order to additionally apply to Broward County, Palm Beach County and Monroe County to close all non-essential retail

and commercial businesses in those jurisdictions using the same enumerated list of businesses identified in Miami-Dade Executive Order 07-20, and the amendments thereto. In addition, the Governor's Order authorized local officials in those jurisdictions to expand the types of essential businesses authorized to remain in operation in the affected Counties.

As Mayor, I previously enacted Jacksonville Emergency Executive Order 2020-3 on March 23, 2020 to require employers to require non-essential employees to work from home. Additionally, the Order required social distancing procedures be implemented at any establishment where, due to the type of work conducted by such establishment, employees were required to be present.

Since I enacted Jacksonville Executive Order 2020-3, the President has extended federal guidance concerning social distancing until April 30, 2020 and all Duval County schools extended home-based education through May 1, 2020. Additionally, in the days following my Executive Order, the state, and particularly Jacksonville, has continued to see exponential growth in the number of new COVID-19 cases. The virus continues to spread at an alarming rate, and because of the latency period of this virus, and increases in our testing capabilities, the City is experiencing an alarming increase in the number of identified cases.

THEREFORE, by virtue of the authority vested in me as Mayor by the Charter and Ordinance Code and as Chief Executive and Administrative Officer of the Consolidated Government, it is ordered:

Effective at 12:01 A.M. on Friday, April 3, 2020, all non-essential retail and commercial businesses within the Consolidated City (including the Beaches and Baldwin) are hereby ordered CLOSED. No member of the public or employee shall be physically present in any non-essential retail or commercial establishment.

The following retail and commercial businesses shall be deemed Essential Businesses and shall be allowed to remain in operation, subject to the restrictions identified below:

Essential retail and commercial businesses, which may remain open, are:

a. Healthcare providers, including, but not limited to, hospitals, doctors' and dentists' offices, urgent care centers, clinics, rehabilitation facilities, physical therapists, mental health professionals, psychiatrists, therapists, and pharmacies;

b. Grocery stores, farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged

in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This authorization includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operations of residences;

- c. Food cultivation, including farming, livestock, and fishing;**
- d. Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;**
- e. Newspapers, television, radio, and other media services;**
- f. Gas stations; new and used automobile dealerships; and auto-supply, auto-repair, and related facilities, provided however that such businesses should ensure that customers practice the social distancing as advised by the CDC;**
- g. Banks and related financial institutions;**
- h. Hardware stores;**
- i. Contractors and other tradesmen, appliance repair personnel, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and other structures;**
- j. Businesses providing mailing and shipping services, including post office boxes;**
- k. Private colleges, trade schools, and technical colleges, but only as needed to facilitate online or distance learning and university, college, or technical college residence halls, to the extent needed to accommodate students who cannot return to their homes;**
- l. Laundromats, dry cleaners, and laundry service providers;**
- m. Restaurants and other facilities that prepare and serve food, but subject to the limitations and requirements of Emergency Order 2020-1. Schools and other entities that typically provide free food services to students or members of the public may continue to do so on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;**
- n. Businesses that supply office products needed for people to work from home;**

o. Businesses that supply other essential businesses with the support or supplies necessary to operate, and which do not interact with the general public;

p. Businesses that ship or deliver groceries, food, goods, or services directly to residences;

q. Airlines, taxis, and other private transportation providers providing transportation services via automobile, truck, bus, or train;

r. Home-based care for seniors, adults, or children;

s. Assisted living facilities, nursing homes, and adult day care centers, and senior residential facilities;

t. Professional services, such as legal or accounting services, when necessary to assist with compliance with legally mandated activities;

u. Landscape and pool care businesses, including residential landscape and pool care services;

v. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities should operate under the following mandatory conditions:

1. Childcare must be carried out in stable groups of 10 or fewer (inclusive of childcare providers for the group).

2. Children and childcare providers shall not change from one group to another.

3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix or interact with each other.

w. Businesses operating at any airport, seaport, or other government facility, including parks and government offices;

x. Pet supply stores;

y. Logistics providers; including warehouses; trucking, consolidators, fumigators, and handlers;

z. Telecommunications providers, including sales of computer or telecommunications devices and the provision of home telecommunications;

aa. Provision of propane or natural gas;

- bb. Office space and administrative support necessary to perform any of the above-listed activities;**
- cc. Open construction sites, irrespective of the type of building;**
- dd. Architectural, engineering, or land surveying services;**
- ee. Factories, manufacturing facilities, bottling plants, or other industrial uses;**
- ff. Waste management services, including collection and disposal of waste;**
- gg. Any business that is interacting with customers solely through electronic or telephonic means, and delivering products via mailing, shipping, or delivery services;**
- hh. Private and municipal marinas and boat launches, docking, fueling, marine supply and other marina services, and other private outdoor recreational activities that comply with the spacing, maximum capacity and other requirements of federal, state and local executive orders and proclamations;**
- ii. Hotels, motels, other commercial lodging establishments and temporary vacation rentals, subject to the requirements of Executive Order 2020-4;**
- jj. Veterinarians and pet boarding facilities;**
- kk. Mortuaries, funeral homes, and cemeteries;**
- ll. The sale of alcoholic beverages is authorized consistent with Executive Order 2020-1;**
- mm. Firearm and ammunition supply stores; and**
- nn. Businesses providing services to any local, state, or federal government, including municipalities, pursuant to a contract with such government.**

Essential Businesses allowed to remain in operation shall continue to adhere to all other requirements set forth in my previously issued orders and proclamation including but not limited to the requirements applicable to non-essential employees working from home and regulations pertaining to social distancing mandated by my

previous Executive Order 2020-3, and the 50-person limitation mandated by my previous Executive Order 2020-1.

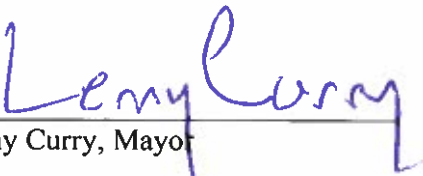
This Executive Order does not affect or limit the operations of the local governments of the Consolidated City (including the Beaches and Baldwin) or its Independent Authorities/Agencies or any federal or state government agencies or employees under the jurisdiction of the federal or state governments, except that such entities shall abide by the restrictions of any county, city, state or federal emergency order.

As Mayor, I reserve the right and ability to amend the list of Essential Businesses at any time through an amendment to this Executive Order. To the extent that this Executive Order conflicts with any provision of any previously issued Executive Order, the requirements of this Executive Order 2020-5 shall control.

The intent of these regulations is to reduce the threat of large-scale exposure from great numbers of individuals gathered for non-essential employment and social purposes. By imposing these requirements, the CDC and other health organizations have indicated that the spread of this rapidly transmitted disease will be reduced, and which will lessen the impact on the City's limited health, medical and administrative resources.

Approved and issued:




Lenny Curry, Mayor

Approved as to form:

Approval Date: April 1, 2020



Jason Gabriel, General Counsel

**Effective Date: April 3, 2020
12:01 A.M.**