

LEE COUNTY, FLORIDA
EMERGENCY ORDER NO. 20-01
PROHIBITION ON SHORT TERM RENTALS

WHEREAS, on March 1, 2020, the Governor of Florida issued Executive Order Number 20-51 directing the State Health Officer and Surgeon General to declare a Public Health Emergency to ensure that the Coronavirus Disease (COVID-19) remains controlled and that residents and visitors in Florida remain safe and secure; and

WHEREAS, on March 9, 2020, the Governor of Florida issued Executive Order Number 20-52 declaring a State of Emergency for the State of Florida due to the Coronavirus Disease (COVID-19); and

WHEREAS, on March 27, 2020, the Governor of Florida issued Executive Order Number 20-87 ordering all parties engaged in rental of vacation rental properties, as defined in Section 509.242(1)(c), Florida Statutes, to suspend vacation rental operations;

WHEREAS, Executive Order Number 20-87 will expire on April 10, 2020, and has not been extended by subsequent order of the Governor; and

WHEREAS, Lee County is a vacation destination for many people from around the world; and

WHEREAS, Lee County has not yet peaked in the number of anticipated COVID-19 cases; and

WHEREAS, on March 17, 2020, the Board of County Commissioners of Lee County, Florida declared a State of Local Emergency for unincorporated and incorporated Lee County in response to the COVID-19 pandemic (Coronavirus Disease) and authorized the County Manager or designee to take whatever prudent action necessary

to effectuate protection of the health, safety, and welfare of the community pursuant to Lee County Ordinance 87-01; and

NOW, THEREFORE, BE IT RESOLVED:

- a. This Emergency Order suspends all vacation rental operations as defined in Section 509.242(1)(c), Florida Statutes. Vacation rentals are prohibited from making new reservations or bookings and shall not accept new guests for check-in for duration of this Order and any extensions thereto. Vacation rentals include:
 1. Which is rented for periods of less than 30 days or 1 calendar month, whichever is less; or
 2. Which is advertised or held out to the public as a place regularly rented to guests; or
 3. Which is otherwise regulated by the Department of Business and Professional Regulation ("DBPR") as a vacation rental pursuant to section 509.241, Florida Statutes.
- b. Rental of any house, condominium, cooperative, or dwelling unit that is also a transient public lodging establishment, pursuant to Florida Statutes Section 509.013(4)(a):
 1. Which is rented for periods of less than 30 days or 1 calendar month, whichever is less; or
 2. Which is advertised or held out to the public as a place regularly rented to guests; or
 3. Which is otherwise regulated by the Department of Business and Professional Regulation ("DBPR") as a vacation rental pursuant to section 509.241, Florida Statutes.
- c. This Order shall not include the following:
 1. Hotels, motels, inns, resorts, non-transient public lodging establishments, or time share projects; or
 2. Long-term rentals; or
 3. Rental stays where guests are currently staying in a vacation rental or have previously booked a stay and are schedule to check-in no later than March 28, 2020; or
 4. Rentals to persons performing military, emergency, governmental, health or infrastructure response, or travelers engaged in non-vacation commercial activities.

This Order shall remain in force and effect until April 30, 2020, and may be extended by subsequent order.

DULY EXECUTED this 10th day of April 2020.

LEE COUNTY FLORIDA

By: Roger Desjarlais
Roger Desjarlais
County Manager

ATTEST:
LINDA DOGGETT, CLERK

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

BY: Eileen Gabrick
Deputy Clerk

BY: Richard M. Weisch
Office of the County Attorney

