

**ORANGE COUNTY, FLORIDA
EMERGENCY EXECUTIVE ORDER NO. 2020-12
REGARDING COVID-19**

**Reopening Orange County
and
Requiring Social Distancing and Face Coverings**

Date: May 1, 2020
Time: 6:55 p.m.

WHEREAS, on March 13, 2020, Mayor Jerry L. Demings executed Executive Order 2020-01 declaring a State of Local Emergency under the provisions of Chapter 2, Article IX, Orange County Code, due to the serious public health threat posed by COVID-19; and

WHEREAS, COVID-19 continues to pose an imminent health hazard and an increased risk of infection to residents of the County and healthcare, first responders, and emergency medical service workers caring for patients with COVID-19; and

WHEREAS, COVID-19 is spread amongst the population by various means of exposure, including the propensity to spread person to person and the propensity to attach to surfaces for prolonged periods of time, thereby spreading from surface to person and causing increased infections to persons; and

WHEREAS, public health experts have consistently recommended avoiding close physical interaction between people in order to slow the spread of COVID-19, and the CDC has updated and further restricted its distancing guidelines; and

WHEREAS, on April 16, 2020, the White House and Centers for Disease Control and Prevention ("CDC") released Guidelines for Opening Up America Again, a three-phased approach based on the advice of public health experts; and

WHEREAS, on April 22, 2020, Mayor Jerry L. Demings convened the Orange County Economic Recovery Task Force to make specific recommendations on the process for reopening Orange County; and

WHEREAS, data collected by the State Department of Health and area hospitals indicate a flattening of the curve in Orange County, including a downward trajectory of hospital visits for influenza-like illnesses and COVID-19 like syndromic cases, a decrease in percent-positive test results, and an increase in hospital capacity since March 1, 2020; and

WHEREAS, Chapter 252, Florida Statutes, and Chapter 2, Article IX, Orange County Code, empowers the Director of Emergency Management to exercise certain powers by Executive orders issued by the Director of Emergency Management; and

WHEREAS, this Executive Order is issued to commence the process of reopening Orange County in a phased approach which continues to protect the public health, safety, and welfare of the citizens, residents, and visitors to Orange County.

NOW, THEREFORE,

I, Jerry L. Demings, County Mayor of Orange County, Florida, acting as the Director of Emergency Management, promulgate the following Emergency Executive Order:

Section 1. Gatherings.

(a) All persons in Orange County should avoid congregating in large groups and should maintain a distance of at least six (6) feet in between persons. Groups of people greater than ten (10) are not permitted to congregate in any public space that does not readily allow for the appropriate social distancing.

(b) Senior citizens and individuals with a significant underlying medical condition (such as chronic lung disease, moderate-to-severe asthma, serious heart conditions, hypertension, immunocompromised status, cancer, diabetes, severe obesity, renal failure and liver disease) are strongly encouraged to stay at home and take all measures to limit the risk of exposure to COVID-19.

(c) Any person who is exhibiting symptoms or who has been diagnosed with COVID-19, or who has interacted with a person exhibiting symptoms or who has been diagnosed with COVID-19, should stay home and consult with their medical provider.

(d) In all activities set forth in each section of this Executive Order, CDC and Occupational Safety and Health Administration (“OSHA”) guidelines related to health screenings, temperature checks, sanitizing and washing hands frequently should be followed where applicable.

Section 2. Minimum Standards for Businesses and Places of Assembly. Essential businesses/services under the Governor’s Executive Order No. 20-112 may remain open under the following conditions unless precluded by any order issued by the Governor for the State of Florida:

(a) All persons, employees, patrons, and participants must practice social distancing by staying at least six (6) feet apart.

(b) Both employees and patrons of businesses that require employees and patrons to be within six (6) feet must wear a face mask or covering, unless the wearing of the patron's face mask or covering would impede the patron's service, in which case only the service provider must wear a face mask or covering.

(c) Employers are encouraged to allow employees who fall under the requirements of Section 1, Subparagraph (b) above the ability to work from home if able; in the alternative, employers are encouraged to provide flexibility with leave time to ensure such employees are protected.

(d) Employers are encouraged to allow any employee who can work remotely the ability to do so.

(e) Business meetings, workshops, and training programs must ensure appropriate social distancing.

(f) Checkout points and staging areas, including storefronts, must be monitored for social distancing requirements by means of marking floors or similar actions to maintain a six (6) foot distance between patrons and employees. Employers should institute measures to physically separate and increase distance between employees and patrons by installing partitions or barrier shields made of plexiglass, plastic, or other similar substance.

(g) Appropriate signage must be posted throughout each physical location reminding patrons and employees to observe the social distancing requirements.

(h) In-store retail sales establishments may open storefronts if they operate at no more than twenty-five-percent (25%) of their building occupancy, excluding employees, and abide by the safety guidelines issued by the CDC and OSHA.

(i) Restaurants and food establishments licensed under Chapters 500 or 509, Florida Statutes, may allow on-premises consumption of food and beverage, so long as they adopt appropriate social distancing measures and limit their indoor occupancy to no more than twenty-five-percent (25%) of their building occupancy, excluding employees. In addition, outdoor dining is permissible with appropriate social distancing. Outdoor dining areas remain subject to county/city zoning requirements and associated conditions for restaurants with outdoor seating. Appropriate social distancing requires maintaining a minimum of six (6) feet between parties, only seating parties of ten (10) or fewer people and keeping bar counters closed to seating.

(1) To the extent practicable, single service condiments should be used; provided, however, that if full size condiments are used, containers must be cleaned after each use. Buffets, salad bars and drink stations will not be permitted.

(2) Reservations are encouraged to ensure occupancy limits are not exceeded for those restaurants that re-open their indoor dining facilities.

(3) Delivery and curbside pickup are encouraged in lieu of re-opening indoor dining areas when feasible.

(4) Seating areas, counters, doorknobs, and bathrooms and the like must be frequently disinfected.

(5) To the extent practicable, menus should be disinfected between each use. Other alternatives include use of message boards, printed disposable menus, or posting menus on a website or other electronic medium accessible from patron cell phones or other electronic devices. Restaurants shall comply with any other provision of this order that does not conflict with the specific terms contained in this subsection.

(6) Nothing herein prohibits restaurants from instituting any other measures that satisfy the intent of this Executive Order.

(j) Museums and libraries may open at no more than twenty-five-percent (25%) of their building occupancy, excluding employees, and provided, however, that any components of museums or libraries that have interactive functions or exhibits, including child play areas, remain closed.

Section 3. Religious Services.

(a) Religious services held in churches, synagogues and houses of worship are considered essential activities under the Governor's Executive Orders No. 20-112 and 20-91 and therefore may continue to operate.

(b) Pursuant to the Governor's Executive Order Number 20-112, residents who are 65 and older, or people of any age who have significant underlying medical conditions, are strongly encouraged to stay home, but if they choose to leave their home for purposes of engaging in religious services, they are hereby advised that they are putting themselves at risk of contracting the COVID-19 virus.

(c) Those who are conducting religious services should encourage their members who are 65 and older, or people of any age who have significant underlying medical conditions, to stay home otherwise it places their members in these categories at risk of contracting the COVID-19 virus.

(d) Those who are conducting religious services are hereby urged to hold such services in one of the following ways:

- (1) Via electronic means such as Facebook Live, YouTube, Zoom, or other similar platforms, or
- (2) Drive-in services so that people can remain in their vehicles.

(e) Religious leaders who decide to conduct religious services have a responsibility to protect the members of their congregations by implementing all CDC guidelines for social distancing and reinforcing the importance of hand washing and use of hand sanitizers. In-person, indoor religious services should be limited to no more than ten (10) persons.

(f) Anyone who decides to participate in religious services is hereby urged to follow all CDC guidelines including social distancing and repeated hand washing or use of hand sanitizers.

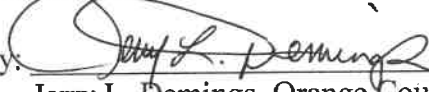
Section 4. Penalties. Anyone who violates this Emergency Executive Order shall upon conviction be punished according to law and shall be subject to a fine not exceeding the sum of Five Hundred Dollars (\$500.00), or imprisonment in the County jail for a period not exceeding sixty (60) days, or by both such fine and imprisonment. Repeat violations could result in mandatory closure of the business pursuant to Section 2-305(b)(1), Orange County Code, and other applicable Florida Statutes. This Order is enforceable by any county or municipal law enforcement official.

Section 5. Exceptions. This Order does not apply to employees and patrons of first response, government, healthcare or medical, veterinarian, shelter or rehabilitation, childcare, utility providers, construction, or transit agencies.

Section 6. Applicability. This Order is in addition to the Executive Orders issued by Governor DeSantis. Any provision(s) within this Order that conflict(s) with any State or Federal law or constitutional provisions, or conflict(s) with or is superseded by a current or subsequently-issued Executive Order of the Governor 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. This Order applies to incorporated and unincorporated Orange County.

Section 7. Effective Date; Expiration Date. This Order shall become effective on May 4, 2020 at 12:01am. This Order will remain in effect throughout the State of Local Emergency pursuant to COVID-19, unless earlier rescinded.

ORANGE COUNTY, FLORIDA

By: 
Jerry L. Demings, Orange County Mayor

RECEIVED AND FILED in the office of the Orange County Comptroller as Clerk to the Board of County Commissioners this 1st day of May, 2020, at 6:55 o'clock P.M.

By: 
Deputy Comptroller