

**IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL
CIRCUIT IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIVIL DIVISION**

**TONYA ESTEVEZ
FERNANDO CESPEDES
DOMENIC DIFANTE,
et al**

CASE # 20-CA-005233

Plaintiffs/Petitioners,

v.

**HILLSBOROUGH COUNTY, FLORIDA,
Defendant/Respondent.**

**EMERGENCY MOTION ON
PLAINTIFFS' COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

Plaintiffs, in the cases captioned above, by and through their undersigned attorney, brings this emergency motion seeking a Restraining Order on Defendants, HILLSBOROUGH COUNTY, FLORIDA, and the Hillsborough County Sheriff's Office, and all those acting in concert with or at the behest of Defendants, from enforcing, or attempting to enforce the EXECUTIVE ORDER of the COUNTY EMERGENCY POLICY GROUP (EPG) requiring businesses to make announcements of government imposed speech concerning the wearing of facemaks (the "EPG EO") against Plaintiffs.. In support of the relief requested herein, would show the following:

1. On June 22, 2020, the EPG issued an EO requiring the wearing of masks which is subject to a lawsuit filed by the Petitioner's on June 26, 2020 and amended on June 29, 2020.
2. On July 2, 2020, this Honorable Court issued an order expediting this lawsuit, requiring the Respondent to answer the complaint "within" 10 days.
3. On July 6, 2020, the EPG amended their EO requiring business owners to make "reasonable efforts" to avoid criminal and civil liability. Specifically, businesses are being required to make announcements to their customers over their intercom systems in order to avoid

penalties (paragraph 8 of the amended order). Specifically, the EO defines reasonable efforts, inter alia, as a business that places signs at entrances, make public address announcements over their intercom systems that promote government mandated speech that asks customers to comply with this government mandate. The EO specifically ask business to announce that their customers wear face coverings over their faces while inside buildings if they are unable to maintain social distancing. Obviously, for those who cannot wear masks for a variety of reasons, and who are exempt under the EO, such announcements will lead to confrontations. Such confrontations between citizens have been widely reported. No matter how one slices these government mandated announcements, this is imposed government speech. Failure to commit to making these government-imposed speech requirements risks penalties, to include criminal penalties as laid out in Paragraph 12f of the EO. (See enclosure 1).

4. While the EPG has indicated that the penalties have been reduced to civil citations; that is not completely true or honest. In point of fact, paragraph 12f makes is clear that “nothing in this paragraph shall prevent law enforcement from enforcing this order...as a second degree misdemeanor”.

5. This is a pernicious step in an incredibly dangerous direction. It is one thing for the government to impose a dress code on its citizenry in order to go out in public. However, it is entirely different matter for government to impose speech on the general public at the risk of criminal penalties. The Constitution is not suspended when the government declares a state of emergency.

6. While it is important to remember that those who object to these restrictions should remember they were imposed by duly elected officials, who must make difficult decisions under difficult circumstances, such emergency powers are not an excuse to act unconstitutionally, to

abuse power and the rule of law. At the same time, all of us—the judiciary, the other branches of government, and our fellow citizens—must insist that every action our governments take complies with the Constitution, especially now. If we tolerate unconstitutional government orders during an emergency, whether out of expediency or fear, we abandon the Constitution at the moment we need it most.

7. When properly called upon, the judicial branch must not shrink from its duty to require the government’s anti-virus orders to comply with the Constitution and the law, no matter the circumstances.

THE IMPOSITION OF A SPEECH CODE IS UNCONSTITUTIONAL

8. Government coercion is presumptively unconstitutional when it compels people to speak things they do not want to speak. See *West Virginia State Board of Education v. Barnette* 319 U.S. 624 (more)63 S. Ct. 1178; 87 L. Ed. 1628; 1943 U.S. LEXIS 490; 147 A.L.R. 674 (1943) (compelled flag salute and pledge of allegiance); *Wooley v. Maynard*, 430 U.S. 705 (1977). CLOSE (compelled display of state motto on license plate); *Agency for International Development v. Alliance for Open Society International, Inc.* S. Ct. 2321 (2013). CLOSE (compelled statement of opposition to prostitution).

9. The Supreme Court’s very first compelled speech case, *Barnette*, made clear that pure speech compulsions are often unconstitutional, even when they don’t also function as speech restrictions. That case famously held that schoolchildren could not be required to pledge allegiance to the flag and to salute the flag. “[C]ompulsion . . . to declare a belief”—compelled “affirmation of a belief and an attitude of mind”—unconstitutionally violated the “individual freedom of mind.” *Id.* at 631, 633, 637.

10. The much more recent *Alliance for Open Society* case echoes this as to organizations

in rejecting a government requirement that organizations that seek government HIV-prevention funds officially take a stand opposing prostitution.

11. In *Wooley v. Maynard*, the Court also made clear that requiring people to display ideological messages on their property (“Live Free or Die,” the state motto) was similarly unconstitutional. *Id.* at 713. The government, the Court held, may not “require an individual to participate in the dissemination of an ideological message by displaying it on his private property in a manner and for the express purpose that it be observed and read by the public.” For whatever reason, the issues of mask is very political and ideological. It should be noted that the State government and our Governor has taken no position on masks. Nor has the President of the United States. Governments throughout Europe have reopened, to include schools, and none are requiring masks to be worn. The science does not necessarily support the contention that wearing masks is effective. The Surgeon General of the United States, Dr. Anthony Fauci, and the CDC have all taken positions, both in the past and present, that wearing of masks should be dissuaded.¹ No matter the argument, the science of masks is not settled.² This is a policy

¹ US Surgeon General Jerome Adams argued against a nationwide mask mandate amid record increases of the novel coronavirus in the United States, arguing that such a mandate would lead to rebellion.

"Here's the challenge, if you make something mandatory, particularly for the younger age groups we are talking about, many of them will rebel and do the exact opposite," Adams said during an interview on NBC's "Today" show. "I think it's more important from a health perspective we help people understand why these are important and we help them understand why they benefit from wearing them."

² Two of the world's major health organizations disagree on mask wearing. The World Health Organization (WHO) currently discourages mask use:

There is currently no evidence that wearing a mask (whether medical or other types) by healthy persons in the wider community setting, including universal community masking, can prevent them from infection with respiratory viruses, including COVID-19.

By contrast, the Centers for Disease Control and Prevention (CDC) in the United States has recently recommended everyone wear a (cloth) mask. However, this is to prevent infected people passing on the infection, not to prevent the wearer getting infected.

decision of a local government, and subject to great debate. Speech should not and cannot be imposed.

12. In the instant case, the EO put forth by the EPG violates in every single respect these constitutional prohibitions by compelling speech. This is very dangerous and insidious invasion of personal rights protected by our Constitution. While this may come as some surprise to the elected official who compose the EPG, not everyone agrees with their policy proscriptions, and should not be compelled to broadcast speech to which they disagree to avoid civil and criminal penalties. This is the definition of coercion to impose speech and is unconstitutional.

13. The EPG EO goes into immediate effect. As noted in the operative complaint, This EPG continues to violate the constitution in multiple ways, and shows no letup in the number of ways they intend to violate the constitutional rights of the citizens of this county. They appear to do so at the whim of whatever good idea comes to them, without going through the critical analysis of whether this idea is lawful. This organization has done this over and over and over again. Consider this history of this wayward group: First, the Safer-at-Home EPG edict, that made church attendance essentially illegal, resulted in the arrest of Pastor Rodney Browne of the River Church in Mango. This Pastor was the subject of a press conference led by the County Sheriff, and elected constitutional officer, but also a voting member of the EPG.

14. Thereafter, this same EPG voted to implement a curfew. The Chairmen of the EPG went on TV telling people that walking their dogs would violate the Curfew.³ Ironically, when

³ Miller said police wouldn't arrest anyone for violating the curfew on Monday. No one with a legal reason to be out after curfew — such as going to work at a job deemed essential — would be required to have documentation proving it.

It now appears that there is a disagreement or misunderstanding between the city of Tampa and Hillsborough County Les Miller. Miller (just now): "Walking the dog, jogging is not essential."

the rule came out the next day, such conduct was permitted. The enormous confusion caused by the EPG, setting a curfew to go into effect three hours after it was passed, caused thousands of business to shutter early, unnecessarily. Thousands upon thousands of lives were disrupted. People lost their jobs. After 72 hours, and under the threat of a lawsuit, the EPG repealed the curfew by a majority vote.

15. We now come forward to its newest edict that requires the wearing of facemasks, subject to the present lawsuit, and all the problems pointed out in the operative complaint. Rather than fixing the clear problems with their own EO, the EPG has now doubled down, going farther into the Constitutional mire. “But like the poor marksmen, [they] keep missing the target”.⁴

16. It is simply not unreasonable to say at this point, given this history, that the EPG is completely lost and totally out of control. It is far past time for this Honorable Court to put them out of their misery. A good start would be the granting of this motion which is patently obvious to anyone other than those who sit on the EPG.

**NOTICE REQUIRMENTS OF THE
FLORIDA RULE OF CIVIL PROCEDURE 1.610**

17. When the Constitutional of the United States is being consistently, and in real time, violated, harm is presumed. Such harm is irreversible. Such harm cannot be compensated. Such harm risk far more danger to life or limb; it risks the rule of law and everything upon which

City of Tampa has been tweeting those activities are allowed. @TB_Times — Charlie Frago (@CharlieFrago) April 14, 2020

Initially, in a post-meeting question-and-answer session with reporters, Miller said activities such as jogging or walking the dog would violate the curfew. When asked to clarify that Monday night, Miller said “walking the dog, jogging is not essential.” See Tampa Bay Times: Hillsborough’s curfew starts Monday night. But can you jog or walk the dog? April 13, 2020.

⁴ Quoting Captain James T. Kirk, to Khan: The Wrath of Khan, Universal Pictures (1982).

the nation is founded. This court cannot stand by and allow the Constitution of the United States to be violated county wide while a normal process takes place.

18. A temporary injunction should be granted where there is a showing of: (1) the likelihood of irreparable harm and the unavailability of an adequate remedy at law, (2) the substantial likelihood of success on the merits, (3) that the threatened injury to petitioner outweigh any possible harm to the respondent, and (4) that the granting of the preliminary injunction will not disserve the public interest. See *Cosmic Corp. v. Miami-Dade County*, 706 So.2d 347 (Fla. 3d DCA, 1998). The same considerations generally apply to the issuance of a Temporary Restraining Order, usually an emergency procedure to maintain the status quo until an injunction hearing can be held.

19. A Temporary Injunction may be granted without written or oral notice to the adverse party only if it appears from the specific facts shown by affidavit or verified pleading that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition. That has been clearly shown in the pleadings as stated, *infra*. Verified pleadings have been filed, and affidavits to support these pleading filed with the original complaint.

20. In addition, the movant's attorney must certify in writing any efforts that have been made to give notice and the reasons why notice should not be required. In this case, the County Attorney's office is located a few blocks from the Courthouse, and will be served concurrently with the electronic filing of this motion. They have also been served with the operative complaint, and were fully on notice of the constitutional issues when the EPG issued this revised EO that further violates the Constitution. The EPG continues to act lawlessly and perniciously, and with absolutely no regard to the United States Constitution. It will not stop

until the Judicial Branch of government steps up and steps in to remind the EPG that it simply cannot continue to do violence to the rule of law.

21. We urge this court to give consideration that notice should not be required, as the injuries to Plaintiff's and those similarly situated is immediate, ongoing, and compelling. Failure to grant immediate relief subjects these Plaintiff's to potential criminal sanctions under this EO that is on its face vague, and violative of the Constitutional rights of the Plaintiffs.

22. As noted the actions of the EPG ongoing. This is the third time the EPG has taken actions to limit the rights and privileges of the citizens of Hillsborough County. This court should consider how the Safer-at-Home EO resulted in the unconstitutional arrest of a local Pastor, with a highly covered press conference that included the elected Sheriff and the State Attorney. To suggest that a citizen may not be arrested is not supported by what has already happened in this county.

23. Thereafter, the EPG mandated an unconstitutional county wide curfew, with no notice, only to withdraw that curfew within 72 hours, and only after a lawsuit, such as this one, was threatened by the undersigned.

24. We are now here again, litigating a poorly worded, confusing, inane, and poorly thought out EO, that was the result of a lack of deliberation, and represents a product that was rushed without considering the secondary effects. This rushed legislation results in real, present and ongoing harm to the Plaintiff's, as has been shown infra, that demands the relief requested.

WHEREFORE, Plaintiffs respectfully request this Court grant the relief requested herein, and issue a TRO and subsequent Temporary Injunction against Defendants, enjoining the enforcement of the EPG EO against Plaintiffs and all other citizens of Hillsborough County, compelling speech and pending the Court's determination of the merits of an application for a

Permanent Injunction on the associated lawsuit.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully requests that this Court GRANT the following relief:

- a) Declaring the EXECUTIVE ORDER of the COUNTY EMERGENCY POLICY GROUP requiring compelled government speech to be violative of the aforementioned United States Constitutional and;
- b) Granting a Temporary Restraining Order limiting the ability to enforce Paragraph 9 and 12 of the EO, and;
- c) Such other and further relief as this Court deems fit, just, and equitable.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing has been furnished to Christine Beck, Esq., Hillsborough County Attorney's Office, 601 East Kennedy Blvd., 27th Floor, Tampa FL, 33602, via e-mail to Beck.C@hillsboroughcounty.org, on this 7th day of July 2020

Respectfully Submitted,

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ENCLOSURE 1

EXECUTIVE ORDER OF THE HILLSBOROUGH COUNTY EMERGENCY POLICY GROUP REQUIRING THE WEARING OF PROTECTIVE FACE COVERINGS AS EXTENDED AND AMENDED AT ITS JULY 6, 2020 MEETING

Upon motion by Kimberly Overman seconded by Sandra Murman, the following Executive Order was extended and amended to include provisions proposed during the June 29, 2020 Hillsborough County Emergency Policy Group meeting by a vote of 5 to 3; Chad Chronister, Nate Kilton, Melissa Snively voting NO:

Upon motion by Andy Ross seconded by Sandra Murman, the following Executive Order was amended to add language clarifying this Order is not intended to conflict with Chapter 790, Florida Statutes, which regulates concealed weapons and firearms by a vote of 5 to 3; Lesley "Les" Miller, Jr., Kimberly Overman, Jane Castor voting NO:

WHEREAS, on March 12, 2020, the Hillsborough County Emergency Policy Group issued an Executive Order declaring a local state of emergency for all of Hillsborough County due to the county wide threat from the COVID-19 virus, which order has been continuously extended by the Executive Policy Group as required by law; and

WHEREAS, the State of Florida and Hillsborough County are continuing to experience reports of illnesses and persons testing positive for the virus; and

WHEREAS, on March 1, 2020 the Governor of the State of Florida issued Executive Order Number 20-51 (EO 20-51), declaring that a public health emergency exists throughout the State of Florida as a result of the spread of the COVID-19 virus; and

WHEREAS, on March 9, 2020 the Governor of the State of Florida issued Executive Order Number 20-52, as extended by EO 20-114, declaring that a state of emergency exists throughout the State of Florida as a result of the spread of the COVID-19 virus and its imminent threat to health and welfare of the citizens of Florida; and

WHEREAS, on March 17, 2020 the Governor of the State of Florida issued Executive Order Number 20-68, as extended by EO 20-112, placing restrictions on certain businesses and public gathering locations throughout the State of Florida as a result of the spread of the COVID-19 virus and its imminent threat to health and welfare of the citizens of Florida; and

WHEREAS, on April 29, 2020 the Governor of the State of Florida issued Executive Order 20-112, as amended by EO 20-114, EO 20-120, and EO 20-123, providing a path to re-opening Florida and promoting business operations and economic recovery by implementing Phase 1: Safe. Smart. Step-by-Step. Plan for Florida's Recovery; and

WHEREAS, on June 3, 2020 the Governor of the State of Florida issued Executive Order 20-139, providing a path to re-opening Florida and promoting business operations and economic recovery by implementing Phase 2: Safe. Smart. Step-by-Step. Plan for Florida's Recovery; and

WHEREAS, even though the Governor is providing a plan for the re-opening of businesses, as well as recreational and other activities, individuals and businesses have been advised to follow Centers for Disease Control and Prevention ("CDC") guidelines; and

WHEREAS, all Executive Orders of the Governor not rescinded or otherwise terminated remain in effect, as modified or amended, and are forecast to remain so for the foreseeable future; and

WHEREAS, on June 22, 2020, the Hillsborough County Emergency Policy Group issued an Executive Order requiring the wearing of protective face coverings, which it extended and amended at its June 29, 2020 meeting; and

WHEREAS, the said ongoing threat of COVID-19, poses a serious threat to the health and welfare of the people of Hillsborough County, Florida; and

WHEREAS, Hillsborough County is experiencing an increase in both the number of documented COVID-19 cases and the trajectory of positive tests as a percent of total tests; and

WHEREAS, Hillsborough County must continue to take emergency action to lessen the spread of COVID-19; and

WHEREAS, the CDC has indicated cloth face coverings may slow the spread of the virus and help people who may have the virus and do not know it from transmitting it to others; and

WHEREAS, the CDC recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (but the CDC cautions the following persons should not wear cloth face coverings: children under age 2 and anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the mask without assistance); and

WHEREAS, Chapter 252, Florida Statutes, and Hillsborough County Ordinance 06-13 (Hillsborough County Code of Laws and Ordinances, Part A, Chapter 22, Article II, Sections 22-19 through 22-30), authorizes the Emergency Policy Group to declare a state of local emergency and to take further reasonable action to provide for the health and safety of persons in Hillsborough County.

NOW THEREFORE, THE EMERGENCY POLICY GROUP OF HILLSBOROUGH COUNTY, FLORIDA, IN A MEETING ASSEMBLED THIS 6th DAY OF JULY 2020, ISSUES THIS EXECUTIVE ORDER RESOLVING THAT:

1. “Business” as used herein shall mean any commercial or for-profit entity (regardless of corporate structure or formation) that provides goods or services directly to the public. “Business” as used herein does not include religious organizations or private clubs nor does it include any location under the control of Hillsborough County Public Schools, which shall establish its own policy for all its locations within the district. “Business” as used herein also includes nonprofit and not-for-profit entities which offer goods or services for sale to the general public in indoor locations.
2. “Business operator” as used herein shall mean any individual that controls the operation of an indoor location of a business, regardless of the formal title or role held by that individual or entity.
3. “Face Covering” as used herein shall mean a uniform piece of material that securely covers a person’s nose and mouth and remains affixed in place without the use of one’s hands, whether store-bought or homemade. Examples of compliant home-made masks may be found at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-to-make-cloth-face-covering.html>.
4. Medical and surgical face masks, such as “N95” masks or other similar medical or surgical masks, are in short supply and should be reserved for health care personnel and other first responders with the greatest need for such personal protective equipment.
5. Unless an exemption contained in Paragraph 9 of this Order is applicable, all persons within any indoor location of a business in Hillsborough County shall wear a face covering when not maintaining social distancing from other person(s), excluding family members or others residing in their home. Persons not exempt under Paragraph 9 of this Order are subject to the penalties provisions of this Order only if they fail to comply with this paragraph of the Order after being asked to do so by a business operator or employee of a business.
6. Nothing herein shall require or allow a person to wear a face covering so as to conceal the identity of the wearer in violation of Fla. Stat. Chapter 876.
7. All business operators of an indoor location of a business that is open to the public in Hillsborough County shall make reasonable efforts to require all persons within the location to wear a face covering when not maintaining social distancing from other person(s), excluding family members or others residing in their home and subject to the exceptions in Paragraph 9 of this Order. “Reasonable efforts” as used herein shall consist of the 4 steps contained in Paragraph 8 of this Order.
8. Business operators must require individuals not exempt from wearing a face covering under Paragraph 9 of this Order to comply with Paragraph 5 of this Order

by taking the following steps, at a minimum: (1) post signage on all public entrances indicating face coverings must be worn inside unless an exemption in Paragraph 9 of this Order is applicable (printable compliant signage is available on Hillsborough County's website); (2) if the business is equipped with a public announcement or "PA" system over which announcements to patrons are made, then make regular announcements reminding all persons that face coverings must be worn; (3) require all employees not exempt from wearing a face covering under Paragraph 9 of this Order to wear a face covering in any indoor location of the business; and (4) make all other reasonable efforts, including asking patrons not wearing face coverings in compliance with Paragraph 5 of this Order to do so. Business operators who take these steps shall be deemed in compliance with the requirement in Paragraph 7 of this Order to make reasonable efforts to require all persons within the location to wear face coverings and shall not be subject to any penalty contained in this Order.

9. Nothing herein shall require the wearing of face coverings by the following persons:
 - a. Persons under the age of eight years; and
 - b. Persons observing social distancing in accordance with CDC guidelines; and
 - c. Persons for whom a face covering would cause impairment due to an existing health condition; No business operator or employee shall ask a person not wearing a face covering pursuant to this exemption to identify a specific health condition or supply documentation thereof, nor shall any business operator or employee deny such person admittance or service because he/she is not wearing a face covering; and
 - d. Persons working in a business or profession who do not have interactions with other persons; and
 - e. Persons working in a business or profession who maintain social distancing from another person; and
 - f. Persons working in a business or profession where use of a face covering would prevent them from performing the duties of the business or profession; and
 - g. Persons exercising, while maintaining social distancing; and
 - h. Persons eating or drinking; and
 - i. Children under the age of eighteen participating in private, public, or nonprofit organized youth activities, including youth sports teams and leagues, youth clubs and programs, child care, summer camps and youth recreation camps; and

- j. Public safety, fire and other life safety and health care personnel, as their personal protective equipment requirements will be governed by their respective agencies; and
 - k. The requirement shall not apply when a person who is hearing-impaired needs to see the mouth of someone wearing a face covering in order to communicate; and
 - l. The requirement shall not be applied in a manner that would conflict with the Americans with Disabilities Act (ADA).
10. All persons within any indoor location not subject to the requirements of this Order are strongly encouraged to follow appropriate social distancing and safety protocols issued by the CDC.
11. The provisions of this Order shall serve as minimum standards, and in no way modify any power possessed by municipalities within Hillsborough County to impose more stringent standards within their jurisdictions.
12. It is the intent of this Order to seek voluntary compliance with the provisions contained herein and to educate and warn of the dangers of non-compliance. However, in the event voluntary compliance is not achieved then, as a last resort, violations of this Order by a business operator or an individual as set out in Paragraph 5 may be enforced as provided below:
- a. The Hillsborough County Sheriff's office and/or the Hillsborough County Code Enforcement Department are empowered to investigate any situation where a business/person is alleged to be violating this order. The Hillsborough County Sheriff's office and/or the Hillsborough County Code Enforcement Department are authorized to enforce this order through the issuance of a noncriminal civil citation as provided in sections 125.69 and 775.083, Florida Statutes, and Hillsborough County Code of Laws and Ordinances, Part A, Chapter 22, Article II, Section 22-28 (e)(3).
 - b. Each municipal law enforcement agency and/or municipal code enforcement department within Hillsborough County is empowered to investigate any situation where a business/person within the municipality's jurisdiction is alleged to be violating this order. Each municipal law enforcement agency and/or municipal code enforcement department within Hillsborough County is authorized to enforce this order through the issuance of a noncriminal civil citation as provided in sections 125.69, 162.21 and 775.083, Florida Statutes, and Hillsborough County Code of Laws and Ordinances, Part A, Chapter 22, Article II, Section 22-28 (e)(3), and the applicable provisions of that municipality's code.

- c. The law enforcement agencies of the University of South Florida and the Tampa International Airport are empowered to investigate any situation where a business/person within that agency's jurisdiction is alleged to be violating this order. Each agency is authorized to enforce this order through the issuance of a noncriminal civil citation as provided in sections 125.69 and 775.083, Florida Statutes, and Hillsborough County Code of Laws and Ordinances, Part A, Chapter 22, Article II, Section 22-28 (e)(3).
 - d. Unless a municipality has a civil citation fine schedule already in effect, a violation of this order shall result in a civil fine of \$150.00. Civil penalties for citations issued by municipalities which have a civil citation fine schedule in place shall be in accordance with that municipality's schedule.
 - e. Pursuant to the enforcement requirements of section 125.69 (4)(a), Florida Statutes, it is the determination of the Emergency Policy Group that a violation of this order presents a serious threat to the public health, safety, or welfare, and that the violation is irreparable or irreversible.
 - f. Nothing in this paragraph shall prevent law enforcement from enforcing this order pursuant to the provisions of Sections 252.47 and 252.50, Florida Statutes, as a second degree misdemeanor punishable as provided in Section 775.082 or 775.083, Florida Statutes.
- 13. This Order is not intended and does not in any way conflict with Chapter 790, Florida Statutes, which regulates concealed weapons and firearms.
 - 14. The provisions of this Order are severable and if any provision of this Order is held to be invalid by a court of competent jurisdiction, the remainder of this Order shall not be affected and shall remain in full force and effect.
 - 15. This Order is effective immediately. It is the intent of the Hillsborough County Emergency Policy Group that this Order shall be reviewed every seven days in conjunction with its order extending a local state of emergency and to continue to closely monitor all data relating to COVID-19.

16. The Executive Order of the Emergency Policy Group Requiring the Wearing of Protective Face Coverings of June 22, 2020, as amended by the Emergency Policy Group on June 29, 2020 and July 6, 2020, is hereby extended for a seven-day period, effective immediately for the incorporated and unincorporated areas of Hillsborough County.

EXECUTED this 6th day of July 2020.



Lesley "Les" Miller, Jr.
Emergency Policy Group, Chair


STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

I, PAT FRANK, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners, do hereby certify that the above and foregoing Executive Order is a true and correct copy of the Executive Order adopted by the Emergency Policy Group of Hillsborough County, Florida, in its special meeting of July 6, 2020.

WITNESS my hand and official seal this 7th day of July 2020.

PAT FRANK
Clerk of Circuit Court



By: 
Deputy Clerk

APPROVED BY THE COUNTY ATTORNEY

BY: Danielle R. Green
Approved as to form and legal sufficiency