

RESOLUTION NO. 20 - _____
ORDER EFFECTUATING OFFICE OF THE GOVERNOR
EXECUTIVE ORDER 20-91

WHEREAS, in response to the emergence of a novel coronavirus and the respiratory disease it causes (“COVID-19”), the World Health Organization (WHO) has officially characterized COVID-19 as a pandemic that constitutes a Public Health Emergency of International Concern; and

WHEREAS, on March 1, 2020, Governor Ron DeSantis issued Executive Order Number 20-51, declaring that appropriate measures to control the spread of COVID-19 in the State of Florida are necessary, and accordingly the State Surgeon General and State Health Officer declared that a Public Health Emergency exists in the State of Florida; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order Number 20-52 declaring a State of Emergency for the state of Florida in furtherance of efforts to respond to and mitigate the effects of COVID-19 throughout the state; and

WHEREAS, in addition to other subsequent Executive Orders issued by the Governor, the Governor found it necessary and appropriate to take action to slow the spread of COVID-19, and accordingly issued Executive Order 20-91 (EO 20-91) on April 1, 2020, restricting the movements and activities of people throughout the State of Florida as provided therein; and

WHEREAS, in order to fully and effectively respond to the developing threats posed by the novel coronavirus and its associated disease (COVID-19), and in coordination with ongoing emergency actions by the state and federal governments, the Pinellas County Board of County Commissioners (Board) passed Resolution 20-16 declaring a local state of emergency in Pinellas County (Resolution), and subsequently such extensions and orders as have been deemed necessary have been issued pursuant thereto; and

WHEREAS, in order to support and accomplish the public health goals of the Governor’s orders and to implement the guidance of the Centers for Disease Control and Prevention (CDC) as fully as possible, an order clarifying the application of EO 20-91 will aid both public compliance therewith as well as the burden on the law enforcement personnel and others charged with enforcing its terms;

WHEREAS, Pursuant to §252.38(1), Florida Statutes, and Pinellas County Charter section 2.04 (k), the County has jurisdictional authority over the entire county for emergency management purposes; and

WHEREAS, in addition to the County’s statutory and Charter authority, Chapter 34 of the Pinellas County Code sets forth provisions intended to ensure the readiness of Pinellas County, provide for the protection of the public health, safety, and welfare, and preserve the lives and property of the people of Pinellas County;

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the Board of County Commissioners of Pinellas County, Florida, this _____ day of April 2020:

- 1) That any retail business, operation, or organization not included within the category of “essential services” or “essential activities” as defined in the Governor’s Executive Order 20-91, as it may be amended or supplemented, must close.
- 2) That all businesses, operations, and organizations continuing to operate pursuant to EO 20-91, must to the maximum extent possible implement and comply with current CDC guidance regarding social distancing and hazard mitigation, including but not limited to guidance regarding personal proximity, sanitization, and hygiene.
- 3) The County Administrator, in addition to the other powers previously granted to him, is hereby empowered to issued specific orders to close businesses that are not in compliance with this order.

Severability.

Any provision(s) within this Order that conflict(s) with any State or Federal law or constitutional provision, or conflict(s) with or are 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. To the extent application of some or all of the provisions of this Order is prohibited on the sovereign land of a federally or state recognized sovereign Indian tribe, such application is expressly excluded from this Order.

Effective Date; Duration.

This Order is effective as of 12:01 a.m. on April 3, 2020. This Order will expire upon the expiration of the existing State of Local Emergency, as same may be extended by subsequent order or declaration, or the expiration of Executive Order 20-91, whichever occurs earlier.

This Order is in addition to the Executive Orders issued by Governor DeSantis.

This Order applies to incorporated and unincorporated areas within Pinellas County, but has no application outside of Pinellas County.

Prior resolutions and emergency orders remain in force and effect unless modified or superseded.

Commissioner _____ offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner _____, and upon roll call the vote was:

AYES:

NAYS:

ABSENT AND NOT VOTING:

Or, in the absence of a quorum of the Board of County Commissioners, and in accordance with Pinellas County Code Section 34-27:

Ordered this _____ day of _____ 2020, at _____ a.m./p.m.

Official Authority

Donald S. Crowell, Chief Asst. County Attorney: APPROVED AS TO FORM