EMERGENCY ORDER NUMBER 16
PALM BEACH COUNTY COVID-19
EXTENSION OF FACIAL COVERINGS DIRECTIVE

WHEREAS, COVID-19, a respiratory illness caused by a virus that spreads rapidly from person to person and may result in serious illness or death, constitutes a clear and present threat to the lives, health, welfare, and safety of the people of Palm Beach County; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52, declaring a state of emergency for the State of Florida as a result of COVID-19; and

WHEREAS, on March 13, 2020, pursuant to Section 252.38(3)(a)(5), Florida Statutes, Palm Beach County declared a local State of Emergency due to the Coronavirus pandemic, which has since been extended in accordance with applicable law; and

WHEREAS, on March 24, 2020, Governor Ron DeSantis also issued Executive Order 20-83 directing the State Surgeon General and the State Health Officer to issue a public health advisory for senior persons and persons that have a serious underlying medical condition that places them at a high risk of severe illness from COVID-19 to stay at home. Such conditions include, but are not limited to, chronic lung disease or moderate to severe asthma, serious heart conditions, immunocompromised status, including those in cancer treatment, and severe obesity; and

WHEREAS, Governor Ron DeSantis has issued a number of subsequent Executive Orders in response to the COVID-19 pandemic, including Executive Order 20-112, a Phase 1: Safe Smart Step-by-Step Plan for Florida's Recovery, under which the Governor re-opened certain businesses, and Executive Order 20-120 which, among other things, served to include Palm Beach County under Phase 1, and Executive Order 20-123, in which the Governor extended and brought all Florida counties into Full Phase 1; and

WHEREAS, Palm Beach County remains in Phase 1 in accordance with Executive Order 20-123 and Executive Order 20-139 issued by Governor DeSantis on June 3, 2020. The Phase 1 restrictions allow indoor seating in restaurants at 50% capacity with appropriate partitioning in place between parties. Outdoor seating and take-out service is permitted; however, bar counters remain closed to seating, and eating at bars within restaurants is not allowed. Bars and nightclubs remain closed in Palm Beach County; and

WHEREAS, Palm Beach County experienced a sharp increase in the number of positive cases of COVID-19 in late May and June, and the Board of County Commissioners determined that additional measures were needed to minimize the spread of COVID-19. Accordingly, the County Administrator on June 24, 2020, issued an additional order mandating the wearing of facial coverings in all businesses and establishments and in public spaces where social distancing is not possible; and

WHEREAS, since June 24, 2020, the number of COVID-19 cases in Palm Beach County has increased by approximately 15,000 cases which is approximately a 57% increase; and

WHEREAS, since June 24, 2020, the positivity rate for COVID-19 in Palm Beach County has increased by approximately 25% to over 12%; and

WHEREAS, hospital bed utilization including ICU bed use, has also increased during the same time period due to COVID-19; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has reviewed the latest science and has affirmed that cloth face coverings are a critical tool in the fight against COVID-19, citing increased evidence that cloth face coverings help prevent people who have COVID-19 from spreading the virus to others; and

WHEREAS, the CDC is recommending the use of face coverings and on July 14, 2020, called on all Americans to wear masks to prevent COVID-19 spread; and

WHEREAS, Emergency Order Number 2020-012, **Additional Directive on Wearing of Facial Coverings**, shall expire on July 24, 2020, at 12:01 a.m. unless extended by subsequent order or Board of County Commissioners action; and

WHEREAS, considering the most current data on COVID-19 spread in Palm Beach County, Southeast Florida and the entire State of Florida, as well as the CDC recommendations on wearing of facial coverings, the County Administrator has determined that it is necessary and appropriate to extend Emergency Order Number 2020-012 for an additional thirty (30) days.

NOW, THEREFORE, IT IS HEREBY ORDERED pursuant to Palm Beach County Code Chapter 9, Article II, Section 9-35, as well as the authorities granted to me by Declaration of Emergency issued by Governor DeSantis in Executive Order 20-52, by Chapter 252, Florida Statutes, by the Board of County Commissioners, by the Palm Beach County Comprehensive Emergency Management Plan, and as otherwise provided by law, I hereby order as follows:

1. **Recitals.** The foregoing recitals are hereby incorporated herein by reference.

2. **Extension.** Executive Order 2020-012 is hereby extended until 12:01 a.m. on August 23, 2020.

3. **Conflicts.** 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 or Indian tribe, such application is expressly excluded from this Order. The provisions of this Order shall supersede the specific provisions of any previously issued County Emergency Order that is contrary to or in conflict with this Order.

4. **Effective Date.** This Order shall be effective as of 12:01 a.m. on July 24, 2020.

PALM BEACH COUNTY

By: Verdenia C. Baker
County Administrator

July 23, 2020
Date

APPROVED AS TO LEGAL SUFFICIENCY

By: *Denise Marie Nieman*
County Attorney

ATTEST

CLERK & COMPTROLLER

Sharon R. Bock

By: _____

Deputy Clerk