



**EMERGENCY ORDER 20-03
RESTRICTIONS FOR GOLF COURSES**

WHEREAS, Novel Coronavirus Disease 2019 (“COVID-19”) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, On March 1, 2020, the Governor of the State of Florida issued Executive Order Number 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and

WHEREAS, On March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

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

WHEREAS, The CDC currently recommends mitigation measures for communities experiencing an outbreak including staying at home when sick, keeping away from others who are sick, limiting face-to-face contact with others as much as possible, consulting with your healthcare provider if individuals or members of a household are at high risk for COVID-19 complications, wearing a facemask if advised to do so by a healthcare provider or by a public health official, staying home when a household member is sick with respiratory disease symptoms if instructed to do so by public health officials or a health care provider; and

WHEREAS, On March 13, 2020, the President of the United States issued a proclamation of a declaration of national emergency; and

WHEREAS, On March 16, 2020, President Donald J. Trump and the Centers for Disease Control and Prevention (“CDC”) issued the “15 Days to Slow the Spread” guidance advising individuals

to adopt far-reaching social distancing measures, such as avoiding gatherings of more than 10 people, and in states with evidence of community spread, recommending restrictions to certain establishments conducive to mass gatherings and congregations; and

WHEREAS, On March 29, 2020, the President extended such guidance to be in effect until April 30, 2020; and

WHEREAS, On March 16, 2020, the Martin County Public Safety Director declared a State of Local Emergency COVID-19 Public Health Emergency (“Martin County Declaration of Emergency”); and

WHEREAS, Pursuant to Executive Order No. 20-83, the Governor of the State of Florida directed the State Surgeon General and the State Health Officer to issue a public health advisory providing that individuals should cease all social or recreational gatherings of 10 or more people; and

WHEREAS, On March 25, 2020, the State Surgeon General issued a Public Health Advisory consistent with Executive Order 20-83; and

WHEREAS, On March 25, 2020, the President of the United States declared that a major disaster exists in the State of Florida as a result of COVID-19; and

WHEREAS, On April 1, 2020, the Governor of the State of Florida issued Executive Order No. 20-91 putting in place a state-wide safer at home order and which permitted various essential businesses and activities during the COVID-19 Emergency; and

WHEREAS, During a press conference on April 2, 2020, Governor DeSantis stated that under Executive Order 20-91, local governments could enact reasonable local restrictions on occupancy and matters regarding social distancing; and

WHEREAS, Governor DeSantis has provided further written guidance in a document entitled FAQs for Executive Order 20-91 that local authorities are allowed to adopt requirements directly on businesses, operations or venues that may be stricter than Executive Order 20-91; and

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

WHEREAS, There has been no indication that the spread of COVID-19 is slowing in the State of Florida and Martin County; and

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

WHEREAS, There is reason to believe that 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 creating a dangerous physical condition spreading from surface to person and causing increased infections to persons, and also creating property or business income loss and damage in certain circumstances; and

WHEREAS, This Order is being issued because of the propensity of COVID-19 to spread from person to person causing widespread infection and loss of life, and also because COVID-19 is causing property damage and business income loss due to its proclivity to attach to surfaces for prolonged periods of time and thereby creating a dangerous physical condition; and

WHEREAS, As a governmental civil authority action, it is necessary to impose the regulations and restrictions set forth herein in response to the dangerous physical conditions that currently exists and to stop the COVID-19 virus from spreading; and

WHEREAS, Martin County wants to take effective and reasonable steps to protect the health of residents and the community; and

WHEREAS, Martin County does not want to create long-term irreparable economic harm to our residents, businesses, and to the local and regional economy; and

WHEREAS, Martin County wants a measured, reasonable and unified direction for the entire county; and

WHEREAS, Conditions presented by the threat of COVID-19 continue to pose a threat to the

public health that requires dynamic emergency response, including the maintenance of existing orders, as well as the imposition of additional directives and orders as conditions require; and

WHEREAS, Governor DeSantis has recognized that south Florida is a COVID-19 hotspot since the major percentage of COVID-19 cases in the State of Florida are in Martin County's neighboring counties to the south, including Miami-Dade, Broward and Palm Beach Counties and has issued Executive Order 20-89 specifically directed at those counties to stop the spread of COVID-19; and

WHEREAS, Miami-Dade, Broward and Palm Beach Counties have closed amenities such as golf courses to help stop the spread of COVID-19 resulting in an influx of residents from these hotspots in south Florida including Miami-Dade, Broward and Palm Beach Counties to Martin County to play golf; and

WHEREAS, Martin County needs to take protective measures to reduce further spread of COVID-19 and to support the Executive Orders and Emergency Orders already entered that promote safer at home activities and limit travel by restricting access to all golf courses in Martin County to existing golf club members and Martin County residents only and promote additional social distancing restrictions for golf courses operating in Martin County.

NOW, THEREFORE, BE IT ORDERED AS FOLLOWS:

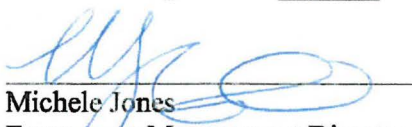
1. All public and private golf courses located within unincorporated and incorporated Martin County that choose to remain open for business are restricted as follows:
 - a. Golf courses that are exclusively used by members, and not open to the public, may only be used by existing members as of April 1, 2020. Guests or any other patrons who are not existing members are prohibited.
 - b. Golf courses that are used by members and are open for public use may only be used by existing members as of April 1, 2020 or Martin County residents.
 - c. Golf courses that have no members and are open for public use may only be used by Martin County residents.
 - d. Golf courses must implement policies to check identification of all patrons to


confirm membership as of April 1, 2020 or residency in Martin County. Proof of residency shall be in the form of a Florida ID with a Martin County address or current utility bill with the patron's name and service address indicated.

2. Definitions for purposes of this Emergency Order.
 - a. Resident shall mean a person who maintains his or her residence in Martin County, owns or leases a non-transient residence within Martin County or has established a domicile in Martin County.
 - b. Member shall mean a person that has met the screening, application, acceptance and financial requirements necessary to use the golf course in accordance with written membership guidelines in governing documents (*i.e.*, declarations and/or bylaws) prior to April 1, 2020. Individuals who are only on mailing or email lists and did not specifically apply and pay for membership in accordance with written membership guidelines prior to April 1, 2020 are not considered members for purposes of this Emergency Order. Furthermore, membership does not include any reciprocal agreements with other golf courses.
3. Golf courses must comply with all social distancing recommendations from the CDC, the Governor, the State Surgeon General and the State Health Officer to limit the spread of COVID-19.
4. Martin County reserves the right to revoke the operating privileges of any golf courses that do not fully comply with this Emergency Order.
5. Any provisions within this Order that conflict with any state or federal law or constitutional provision, or conflicts with or are superseded by a current or subsequently-issued Executive Order of the Governor of the State of Florida 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.
6. This Order shall be effective immediately upon execution. This Order will expire upon the expiration of the existing State of Local Emergency, as same may be extended by subsequent order or declaration, unless earlier terminated by subsequent Order.


7. This Order is in addition to the Executive Orders issued by Governor DeSantis.
8. Prior resolutions and emergency orders remain in full force and effect unless modified or superseded.
9. This Order shall be filed in the Office of the Clerk of the Circuit Court.

Signed this 10 day of April, 2020 at 12:30 (am) (pm).


Michele Jones
Emergency Management Director
Martin County Board of County Commissioners


Concurrence: Taryn Kryzda
County Administrator
Martin County Board of County Commissioners

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


Sarah W. Woods
County Attorney
Martin County Board of County Commissioners

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