



**MARTIN COUNTY  
EMERGENCY ORDER 21-02  
(TERMINATION OF MARTIN COUNTY EMERGENCY ORDER 20-06 -  
TEMPORARY OUTDOOR DINING AREAS FOR RESTAURANTS)**

**WHEREAS**, Section 51.4.C., General Ordinances, Martin County Code, authorizes the County Administrator to issue any such orders as are deemed necessary to protect life and property and preserve critical resources; and

**WHEREAS**, the County Administrator has determined that a State of Local Emergency exists within Martin County; and

**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**, the World Health Organization (WHO) has declared a pandemic related to COVID-19; and

**WHEREAS**, the Center for Disease Control and Prevention (CDC) has declared the potential public health threat posed by COVID-19 as “high”, both in the United States and throughout the world; and

**WHEREAS**, on March 1, 2020, Governor Ron DeSantis issued Executive Order 20-51, directing that a Public Health Emergency be declared in the State of Florida; and

**WHEREAS**, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52, declaring a State of Emergency in the State of Florida regarding the COVID-19 pandemic; and

**WHEREAS**, on March 16, 2020, President Donald J. Trump and the Centers for Disease Control (“CDC”) issued the 15 Days to Slow the Spread guidance advising individuals to adopt far-reaching social distancing measures, such as working from home and avoiding gatherings of more than 10 people; and

**WHEREAS**, on March 16, 2020, Martin County declared a local state of emergency in response to the COVID-19 efforts which was subsequently extended by declaration; and

**WHEREAS**, on April 1, 2020, Governor DeSantis issued Executive Order 20-91 putting in place a state-wide safer at home order; and

**WHEREAS**, on May 4, 2020, Executive Order 20-112, Phase 1: Safe. Smart. Step-by-

Step Plan for Florida's Recovery, began measures to slowly re-open Florida, will become effective; and

**WHEREAS**, the County wanted to take all reasonable efforts to assist restaurants to open in a viable manner while helping protect the health & safety of County residents; and

**WHEREAS**, on May 8, 2020 the County issued Emergency Order 20-06, allowing for temporary outdoor dining for restaurants and food establishments in Martin County to allow additional space to accommodate social distancing; and

**WHEREAS**, by the end of September 2020, Florida fully reopened without restrictions on businesses; and

**WHEREAS**, since the issuance of the public health emergency and the efforts made to stop the spread of COVID-19, statewide efforts have been made to distribute COVID-19 vaccines, which are now available to residents 12 years and older; and

**WHEREAS**, scientific studies show that vaccines protect individuals from COVID-19 and reduce hospitalizations and deaths caused by COVID-19; and

**WHEREAS**, the CDC issued guidance that vaccines are safe and effective; and

**WHEREAS**, on May 13, 2021, the CDC updated its guidance on face coverings indicating that fully vaccinated individuals can resume activities without wearing a face covering or physically distancing; and

**WHEREAS**, restaurants and food establishments have been fully operational and efforts in Martin County to resume normal operations have been in place for some time; and

**WHEREAS**, based on the new CDC guidance and the availability of the COVID-19 vaccine, Martin County determined that Emergency Order 20-06, which allowed for temporary outdoor dining areas for restaurants and food establishments, should be terminated.

**NOW, THEREFORE, BE IT ORDERED AS FOLLOWS:**

1. Martin County Emergency Order 20-06, Temporary Outdoor Dining Areas for Restaurants, is hereby terminated by this Order.

2. 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.

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

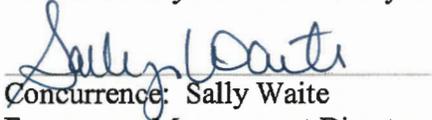
4. This Order shall take effect on July 1, 2021.

5. This Order shall be filed in the Office of the Clerk of the Circuit Court.

Signed this 18th day of May 2021 at 4:00pm (am) (pm).



Taryn Kryzda  
County Administrator  
Martin County Board of County Commissioners



Concurrence: Sally Waite  
Emergency Management Director  
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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