



## **MARTIN COUNTY CONTINUING DECLARATION OF STATE OF LOCAL EMERGENCY**

**WHEREAS**, Section 51.4.A., General Ordinances, Martin County Code, authorizes the Director of the Emergency Management Agency to declare a State of Local Emergency; and

**WHEREAS**, the Emergency Management Director 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**, Martin County began implementing preparations to address the serious public health threat on January 31, 2020; 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**, it is the duty of Martin County to take protective measures – including activation of the emergency operations center, procurement of personal protective equipment, consequence management, and similar activities to support the public health and safety of the community; and

**WHEREAS**, the President of the United States has declared a State of Emergency for the Country to address the public health threat to the United States of America as a result of COVID-19; 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 17, 2020, Governor Ron DeSantis issued Executive Order 20-68, directing bars, pubs, and nightclubs to suspend sale of alcoholic beverages for thirty days, directing parties accessing public beaches to follow the CDC guidance by limiting gatherings to

no more than 10 persons, and directing restaurants to limit occupancy to 50% of the current building occupancy; and

**WHEREAS**, a threat of impact from COVID-19 exists throughout the County; and

**WHEREAS**, COVID-19 poses a danger to life and the economic well-being of Martin County residents; and

**WHEREAS**, on March 16, 2020, Martin County declared a local state of emergency in response to the COVID-19 efforts which was extended effective March 23, 2020 at 11:30 a.m., which was extended effective March 30, 2020 at 11:30 a.m., which was extended effective April 6, 2020 at 11:30 a.m., which was extended effective April 13, 2020 at 11:30 a.m., which was extended effective April 20, 2020 at 11:30 a.m., which was extended effective April 27, 2020 at 11:30 a.m. for a period of seven days; and

**WHEREAS**, Martin County issued Emergency Declaration Order 20-1 (MCDO 20-1) due to overwhelming crowds on the beaches of Martin County. That such crowding is likely to lead to the spread of COVID-19 requiring immediate enactment of MCDO 20-1 to temporarily close the beaches in Martin County is necessary to prevent the spread of COVID-19 as follows:

1. All beaches, beach accesses, and parking for beach accesses in Martin County, Florida are temporarily closed to the public
2. It shall be unlawful for members of the public to access the beaches in Martin County. This does not apply to property owners or residents and visitors who may access the beach via private beach crossovers.
3. For purposes of this Order the following definitions shall apply:
  - a. "Beach" shall include all sandy beach areas from the waters of the North Atlantic Ocean to the frontal dune, or where there is no frontal dune, to the line of permanent vegetation or construction, whichever is more seaward; and
  - b. "Beach access" shall mean public beach access points, including associated boardwalks, walkways, dedicated public parking areas, and the area on the beach beginning at the entrance of the beach.

**WHEREAS**, Section 252.38 (3)(a)5, Fla. Stat. provides authority for the County to declare a State of Local Emergency and to waive the procedures and formalities otherwise required by law pertaining to:

1. Performance of public works and taking whatever action is necessary to ensure the health, safety and welfare of the community, including but not limited to denying or revoking permits for public gatherings and/or cancelling mass gatherings taking place during the Local State of Emergency. A mass gathering is defined as 10 people or greater; however, this number is subject to amendment should the circumstances of the situation change;
2. Entering into contracts;
3. Incurring obligations;
4. Employment of permanent and temporary workers;
5. Utilization of volunteer workers;
6. Rental of equipment;
7. Acquisition and distribution, with or without compensation, of supplies, materials and facilities;
8. Appropriation and expenditure of public funds.

**WHEREAS**, the Emergency Management Director has determined that a State of Local Emergency continues to exist within Martin County.

I, Michele Jones, Emergency Management Director do hereby exercise my authority and declare a State of Local Emergency for the next seven-day period, unless sooner rescinded, and waive the procedures and formalities as provided in Section 252.38 (3)(a)5, Fla. Stat. and Section 51.4.A, General Ordinances, Martin County Code, at 11:30am this 4th day of MAY, 2020.

  
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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