



**MARTIN COUNTY
EMERGENCY ORDER 20-09
TERMINATION OF MARTIN COUNTY EMERGENCY ORDER 20-08**

WHEREAS, Section 51.4.C., General Ordinances, Martin County Code, authorizes the Director of the Emergency Management Agency to issue any such orders as are deemed necessary to protect life and property and preserve critical resources; 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, 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, 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, Martin County began implementing preparations to address the serious public health threat on January 31, 2020; and

WHEREAS, on March 16, 2020, Martin County declared a local state of emergency in response to the COVID-19 efforts which was extended by declaration on March 23, 2020; and

WHEREAS, in Emergency Order 20-01, Martin County previously declared that an emergency existed due to overwhelming crowds on the beaches of Martin County, that such crowding was likely to lead to the spread of COVID-19, and that immediate enactment of an Emergency Order to temporarily close the beaches in Martin County is necessary to prevent the spread of COVID-19.

WHEREAS, On May 4, 2020, Executive Order 20-112, Phase 1: Safe. Smart. Step-by-Step Plan for Florida's Recovery, which provides measures to slowly re-open Florida, became effective; and

WHEREAS, Martin County issued Emergency Order 20-05 opening some of Martin County's beaches for the limited time period of May 4, 2020 through May 15, 2020 consistent with the steps to reopen Florida. From May 4, 2020 through May 7, 2020, there was an influx of residents from Miami-Dade, Broward and Palm Beach counties whose beaches remain closed pursuant to Executive Order 20-112 because those counties have been recognized as hotspots for COVID-19; and

WHEREAS, Martin County issued Emergency Order 20-08, Restrictions on Beaches in Martin County, which limited Martin County public beach access to Martin County residents except for Hobe Sound public beach access which was ordered to remain closed.

WHEREAS, on May 18, 2020 Executive Order 20-123, Full Phase I: Safe. Smart. Step-by-Step. Plan for Florida's Recovery, which expands measures to re-open Florida, became effective; and

WHEREAS, on May 18, 2020, Palm Beach County opened its beaches without restrictions; and

WHEREAS, consistent with the steps to reopen Florida, the County has determined that it can safely reopen the public beaches in Martin County without restriction.

NOW, THEREFORE, BE IT ORDERED AS FOLLOWS:

1. Martin County Emergency Order 20-08, Restrictions on Beaches in Martin County, is hereby terminated by this Order as of May 20, 2020 at 12:00 a.m.

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. This Order shall be effective on May 20, 2020 at 12:00 a.m.

4. This Order is in addition to the Executive Orders issued by Governor DeSantis.
5. Prior resolutions and emergency orders remain in full force and effect unless modified or superseded.
6. This Emergency Order shall be enforced pursuant to section 252.47, *Florida Statutes*. Violation of this Emergency Order is punishable pursuant to section 252.50, *Florida Statutes* as a misdemeanor of the second degree.
7. This Order shall be filed in the Office of the Clerk of the Circuit Court.

Signed this 19 day of May, 2020 at 5:30 (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

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback