

RESOLUTION NO. 20 - 20
“COVID-19 – SAFER AT HOME” ORDER

WHEREAS, in order to fully and effectively respond to the developing threats posed by the novel coronavirus and its associated disease (COVID-19), and in coordination with ongoing emergency actions by the state and federal governments, the Pinellas County Board of County Commissioners passed Resolution 20-16 declaring a local state of emergency in Pinellas County (Resolution), and subsequently such extensions and orders as have been deemed necessary have been issued pursuant thereto; 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, 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 spreading from surface to person and causing increased infections to persons, and property loss and damage in certain circumstances; and

WHEREAS, despite the measures taken thus far pursuant to the Resolution, as well as existing actions by the federal, state, and other local governments applicable to the residents of Pinellas County, new cases of COVID-19 continue to increase within Pinellas County demonstrating that more community action and cooperation to socially separate and maintain distance is necessary in certain environments; and

WHEREAS, it has become necessary that residents and visitors in Pinellas County do more to avoid close social interaction, including, when possible, remaining in their respective homes, residences, and domiciles, including any apartment, dormitory, hotel, motel, or similar accommodation (each a “Home”) to slow the virus’ spread and address the unprecedented threat to the public health and welfare posed by COVID-19; and

WHEREAS, it is safer to stay at home and subject to certain exceptions for essential activities and services while allowing minimum business operations that appropriately balance public health, safety, and welfare within the County while promoting the continued delivery of essential infrastructure, services, and functions to residents and visitors in the County. Such exceptions are made consistent with guidance from the Centers for Disease Control and Prevention (CDC) and the President’s Coronavirus Guidelines for America; and

WHEREAS, Pursuant to §252.38(1), Florida Statutes, and Pinellas County Charter section 2.04 (k), the County has jurisdictional authority over the entire county for emergency management purposes; and

WHEREAS, in addition to the County’s statutory and Charter authority, Chapter 34 of the Pinellas County Code sets forth provisions intended to ensure the readiness of

Pinellas County, provide for the protection of the public health, safety, and welfare, and preserve the lives and property of the people of Pinellas County;

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the Board of County Commissioners of Pinellas County, Florida, this 25th day of March 2020:

That, pursuant to the Resolution declaring a local state of emergency, as extended, as an executive order pursuant thereto, we resolve a “Safer at Home” order (Order) providing the following requirements and restrictions:

A. Individuals in Pinellas County are ordered to:

1. Comply with the CDC guidelines by maintaining a distance of 6 feet from other persons and by not gathering in groups of more than 10 individuals.
2. Limit non-essential activity and/or transportation to the following:
 - a. Primary or emergency care or direct care support for a family member, relative, friend, or their pet
 - b. Healthcare and medical services
 - c. Groceries
 - d. Meal take-outs from local food establishments
 - e. Essential work duties that cannot be performed from home
 - f. Banks and related financial institutions
 - g. Laundry services, laundromats
 - h. Essential home repairs and maintenance
 - i. Outdoor activity while following CDC guidelines (examples include: walking pet, hiking, biking).
 - j. Veterinarians and pet boarding facilities
 - k. Gas stations, auto-supply and auto-repair facilities

B. Places of public assembly are ordered to:

Close to the public. Whether indoors or outdoors, this includes, but is not limited to, locations with amusement rides, carnivals, water parks, publicly accessible pools, zoos, museums, arcades, fairs, publicly accessible children’s play centers, publicly accessible playground equipment, theme parks, bowling alleys, pool halls, movie and other theaters, concert and music halls, country clubs, social clubs and fraternal organizations.

C. All places and entities conducting public and private gatherings are ordered to:

1. Comply with CDC guidelines of social distancing, except as otherwise exempted in this Order.
2. All public and private gatherings of any number of people not meeting CDC guidance occurring outside a family unit, single household or living unit are prohibited, except for the limited purposes permitted by this Order. Any gatherings involving groups of ten or more may be told to disperse.

D. Businesses in Pinellas County are ordered to:

Close storefront operations and limit customer foot traffic if they do not provide Essential Services as outlined in this Order or cannot maintain CDC social distancing guidelines. However, businesses may continue internal and minimum basic operations required to maintain the businesses, but are required to enforce CDC social distancing and group gathering guidelines as it applies to their workforce. All businesses, other than those providing Essential Services, intending to remain open for business pursuant to this Order by maintaining compliance with CDC guidance for social distancing and hazard mitigation and other applicable legal requirements, must post a notice, clearly visible at all times to those present on the premises including patrons and employees, in a form to be established by the County Administrator. This notice will, at a minimum, clearly identify the requirements of this Order for conducting business, provide contact information for reporting suspected violations, and clearly indicate that the requirements of this Order have the force of law and may be enforced by any available legal process. This Order does not limit the number of persons who may be physically present and performing services on-site related to the provision of Essential Services, except as expressly set forth herein or otherwise governed by any County, State or Federal order or regulation. Essential Services are defined to include the following:

1. Healthcare providers and public health operations (except to the extent precluded by the Governor's Executive Order 20-72 or any subsequent Executive Order), including but not limited to: hospitals; doctors' and dentists' offices; urgent care centers, clinics, and rehabilitation facilities; physical therapists; mental health professionals; psychiatrists; therapists; research and laboratory services; blood banks, medical cannabis facilities; medical equipment, devices, and other healthcare manufacturers and suppliers; reproductive health care providers; eye care centers; home healthcare services providers; substance abuse providers; medical transport services; and pharmacies;
2. Grocery stores, farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments primarily engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, baby products, pet supply, alcoholic beverages, fresh or frozen meats, fish, and tofu, and any other household consumer products (such as cleaning and personal care products). This authorization to remain open includes stores

that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operations of residences and other structures;

3. Businesses engaged in food cultivation, including farming, livestock, and fishing;
4. Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
5. Newspapers, television, radio, and other media services;
6. Gas stations, and auto-supply, and auto-repair facilities, as well as supply and repair facilities servicing bicycles;
7. Banks and related financial institutions;
8. Hardware, gardening, and building material stores;
9. Contractors and other tradesmen, building and apartment management and maintenance (including janitorial companies servicing commercial businesses), home security firms, fire and water damage restoration appliance repair personnel, exterminators, and other service providers (such as landscape and pool maintenance service providers) who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and other structures;
10. Businesses primarily providing mailing, logistics, pick-up, and shipping services, including post office boxes;
11. Private colleges, trade schools, and technical colleges, but only as needed to facilitate online or distance learning, perform critical research, or perform essential functions, and university, college, or technical college residence halls, but only to the extent needed to accommodate students who cannot return to their Homes;
12. Laundromats, dry cleaners, and laundry service providers;
13. Restaurants and other facilities that prepare and serve food, but subject to the limitations and requirements of the Governor's Executive Orders 20-68 and 20-71, and any subsequent Executive Orders.
14. Businesses that primarily supply office products needed for people to operate open businesses or work from home (but not including businesses that primarily sell or lease furniture);

15. Businesses that primarily supply other essential businesses and operations as stated in this Order, with the support or supplies necessary to operate, and which do not interact with the general public, including cybersecurity firms (but not including businesses that primarily sell or lease furniture);
16. Businesses that primarily ship or deliver groceries, food, goods, or services directly to residents;
17. Airlines, taxis, buses and other private transportation providers.
18. Businesses engaged in providing home-based care for seniors, adults, or children;
19. Assisted living facilities, nursing homes, adult day care centers, and homebased and residential settings for adults, seniors, children, and/or people with disabilities or mental illness;
20. Businesses providing professional services, such as legal or accounting services, to the extent those services comply with the social distancing requirements referenced herein;
21. Childcare facilities providing services that enable employees employed by employers exempted in this Order to work as permitted. Childcare facilities should operate under the following conditions: Childcare must be carried out in stable groups of 10 or fewer (inclusive of childcare providers for the group); children and childcare providers shall not change from one group to another; if more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix or interact with each other, or have access to or use the same objects, materials, or surfaces without sanitization. All play equipment used by one group of children must be cleaned and sanitized before use by another group of children. Any child or employee exhibiting symptoms consistent with COVID-19 illness shall not be allowed to stay in the childcare facility.
22. Businesses operating at any airport, or other government facility, except as provided in the Governor's Executive Order 20-71.
23. Logistics providers, including warehouses, trucking, consolidators, fumigators, and handlers;
24. Telecommunications providers, including sales of computer or telecommunications devices and the provision of home telecommunications;
25. Businesses engaged in the provision of propane or natural gas;

26. Businesses engaged in the provision of office space and administrative support necessary to perform any of the above-listed activities;
27. Businesses providing architectural, engineering, or land surveying services;
28. Factories, warehouses, manufacturing facilities, bottling plants, or other industrial distribution and supply chain facilities used for essential products and industries for the U.S. domestic market;
29. Waste management services, including businesses engaged primarily in the collection and disposal of waste;
30. Hotels, motels, other commercial lodging establishments, and temporary vacation rentals, subject to the limitations stated in the Governor's Executive Order 20-71.
31. Veterinarians and pet boarding facilities;
32. Mortuaries, funeral homes, and cemeteries including funeral and cremation services;
33. Businesses providing services to any local, state, or federal government, pursuant to a contract with such government and provided such services relate directly to a governmental response to the COVID-19 crisis;
34. Electrical production and distribution services.

Essential Infrastructure. For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to offer, provision, operate, maintain and repair Essential Infrastructure. Essential Infrastructure includes, but is not limited to: food production, distribution, and sale; construction; building management and maintenance; airport operations; operation and maintenance of utilities, including water, sewer, and gas; electrical (including power generation, distribution, and production of raw materials); distribution centers; roads, highways, railroads, and public transportation; cybersecurity operations; flood control; solid waste and recycling collection and removal; and internet, video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services). Essential Infrastructure shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined.

Essential Governmental Functions. For purposes of this Order, all employees of first responder entities as determined by the agency head, emergency management personnel, emergency dispatchers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental

employees working for or to support Essential Services are categorically exempt from this Order. Essential Government Functions means all services provided by the State or any constitutional office, municipality, county, subdivision or agency of government including public universities and colleges which are needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public, and including contractors performing Essential Government Functions.

This Order does not affect or limit the operations of Pinellas County, any public utility, any municipality, the Pinellas County School District, any other local government entity in Pinellas County, or any State or Federal office or facility.

Applicability.

The provisions of this Order shall serve as minimum standards, and in no way modify any power possessed by municipalities within Pinellas County to impose more stringent standards within their jurisdictions.

Severability.

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 Indian tribe, such application is expressly excluded from this Order.

Effective Date; Duration.

This Order is effective twenty-four hours after adoption as of 11:27 a.m./~~p.m.~~ on 25 of March, 2020. 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.

This Order is in addition to the Executive Orders issued by Governor DeSantis..

This Order applies to incorporated and unincorporated areas within Pinellas County, but has no application outside of Pinellas County.

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

Commissioner Justice offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner Peters, and upon roll call the vote was:

AYES: Gerard, Eggers, Justice, Long, Peters, Seel, and Welch.

NAYS: None.


ABSENT AND NOT VOTING: None.

Or, in the absence of a quorum of the Board of County Commissioners, and in accordance with Pinellas County Code Section 34-27:

Ordered this ____ day of _____ 2020, at _____ a.m./p.m.

Official Authority

APPROVED AS TO FORM

By: 

Office of the County Attorney