

**ORANGE COUNTY, FLORIDA  
EMERGENCY EXECUTIVE ORDER NO. 2020-51  
REGARDING COVID-19**

**Reopening Orange County  
And  
Requiring Social Distancing and Face Coverings**

**Date:** December 4, 2020

**Time:** 3:30 P.M.

*WHEREAS*, on March 13, 2020, I issued Emergency Executive Order 2020-01 declaring a State of Local Emergency under the provisions of Chapter 2, Article IX, Orange County Code, due to the serious public health threat posed by COVID-19; and

*WHEREAS*, on May 1, 2020 and May 18, 2020, I issued Emergency Executive Orders 2020-12 and 2020-16, respectively, regarding Reopening Orange County and Requiring Social Distancing and Face Coverings, which included minimum safety standards for businesses; and

*WHEREAS*, on July 23, 2020, Orange County began sending its Business Compliance Teams, consisting of representatives from Orange County Code Enforcement, Orange County Fire Rescue, and the Florida Department of Health in Orange County, into the community to educate and assist local businesses in implementing and complying with Orange County's minimum standards for businesses; and

*WHEREAS*, Orange County offers local businesses personal protective equipment ("PPE") and signage that reminds people to wear facial coverings and practice social distancing. Orange County provides PPE and signage when its Business Compliance Teams visit local businesses and publishes the minimum standards for businesses with information about its PPE and signage resources online at <http://www.ocfl.net/EmergencySafety/Coronavirus/Coronavirus-BusinessResources.aspx>; and

*WHEREAS*, on September 25, 2020, the Governor of Florida issued Executive Order Number 20-244 which moves the State of Florida into Phase 3 of its reopening plan;

*WHEREAS*, COVID-19 continues to pose an imminent health hazard and an increased risk of infection to residents of Orange County and healthcare, first responders, and emergency medical service workers caring for patients with COVID-19; and

*WHEREAS*, COVID-19 is spread through airborne transmission from individuals coughing, sneezing, or talking and droplets from their mouth or nose are launched into the air; and

**WHEREAS**, the increased reopening of the State and County will lead to more contact between individuals and increase the potential for community spread of the disease; and

**WHEREAS**, facial coverings are of assistance in preventing individuals who may be shedding the virus, from spreading it to other individuals; and

**WHEREAS**, analysis funded by the World Health Organization (“WHO”) supports the use of social distancing and facial coverings to avoid transmission of COVID-19; and

**WHEREAS**, public health experts and the Centers for Disease Control and Prevention (“CDC”) have consistently recommended avoiding close physical interaction between people and the use of facial coverings in order to slow the spread of COVID-19; and

**WHEREAS**, Chapter 252, Florida Statutes, and Chapter 2, Article IX, Orange County Code, empowers the Director of Emergency Management to exercise certain emergency powers via executive order during a state of local emergency; and

**WHEREAS**, this Emergency Executive Order is issued to reiterate and expound Orange County’s minimum standards for businesses, provide for enforcement of said minimum standards, and protect the public health, safety, and welfare of the citizens, residents, and visitors to Orange County.

**NOW, THEREFORE**, I, Jerry L. Demings, County Mayor of Orange County, Florida, acting as the Director of Emergency Management, promulgate the following Emergency Executive Order:

**Section 1. Operations of Services and Activities.** All services and activities permitted to be operated by Governor DeSantis’ Executive Orders (in existence as of this Emergency Executive Order and executed subsequent to this Emergency Executive Order) may operate in Orange County pursuant to the standards contained herein and referenced by this Emergency Executive Order. All services and activities shall operate in accordance with Occupational Safety and Health Administration (“OSHA”) and CDC guidelines applicable to their business.

**Section 2. Minimum Standards for Businesses.** All businesses authorized to operate under the Governor’s Executive Order No. 20-244 may continue to operate under this Emergency Executive Order. All businesses that have on-site operations must comply with the following minimum standards:

- (a) Businesses shall ensure that all persons, employees, patrons, and participants on its premises practice social distancing by keeping a minimum distance of six (6) feet apart to the maximum extent possible. Nothing in this Emergency Executive Order shall be construed as limiting a restaurant’s indoor capacity as described by Section 3 of the Governor’s Executive Order 20-244.

(b) Businesses shall ensure that employees wear face coverings in the workplace when within six (6) feet of someone else and when required by Orange County Emergency Executive Order 2020-25. Businesses shall require customers, clients, and other visitors to the establishment to wear face coverings in accordance with Orange County Emergency Executive Order 2020-25.

(c) Businesses are encouraged to allow employees to telework or establish a rotation or staggered schedule to reduce the number of employees working on site.

(d) Businesses shall monitor its checkout points and staging areas, including storefronts, for social distancing requirements by marking floors or taking other similar actions to maintain a six (6) foot distance between patrons and employees. Businesses shall institute measures to physically separate and increase distance between employees and patrons by installing partitions or barrier shields made of plexiglass, plastic, or other similar substance.

(e) Businesses shall post appropriate signage throughout each physical location reminding patrons and employees to comply with the social distancing and face covering standards described in this Section. Businesses may use signage published by Orange County online here: <http://www.ocfl.net/EmergencySafety/Coronavirus/Coronavirus-BusinessResources.aspx>. Signage must be posted in conspicuous locations, which are clearly visible to the patrons and employees throughout each physical location. Signage must be posted, at a minimum, at all points of access (including employee points of access) and throughout the service and activity. Businesses are encouraged to post signage at a height of between four and five feet (4ft – 5ft) as measured from the floor to the bottom of the sign.

### **Section 3. Enforcement and Penalties.**

(a) A violation of this Emergency Executive Order is a noncriminal infraction and does not authorize the search or arrest of any individual. Failure to comply with the requirements of this Emergency Executive Order presents a serious threat to the public health, safety, and welfare. Accordingly, a violation of this Emergency Executive Order may be enforced through Orange County's code enforcement process as described in Chapter 11 of the Orange County Code and Chapter 162, Florida Statutes. Code enforcement officers and law enforcement officers are authorized to immediately issue a citation to businesses in violation of this Emergency Executive Order.

(b) The penalties for violating this Emergency Executive Order shall include a fine not to exceed five hundred dollars (\$500) for immediate citations issued by code enforcement officers or law enforcement officers; or, alternatively, a fine not to exceed one thousand dollars (\$1,000) per day for a first violation imposed by a special magistrate and five thousand dollars (\$5,000) per day for a repeat violation imposed by a special magistrate, pursuant to Chapter 11, Orange County Code, and Chapter 162, Florida Statutes. However, if a special magistrate finds a violation to be irreparable or irreversible in nature, it may impose a fine not to exceed fifteen thousand dollars (\$15,000) per violation. If the

immediate citation is not contested as set forth in Chapter 11, Section 11-65, Orange County Code, the violation shall be classified as a Class III violation with a reduced penalty as indicated in Chapter 11, Section 11-67.

(c) All other remedies available at law or equity, including injunction, remain available to Orange County, even after issuance of a citation.

**Section 4. Applicability, Severability, and Conflict.** This Emergency Executive Order is issued in addition to the Executive Orders issued by Governor Ron DeSantis. Any provision(s) within this Emergency Executive Order that conflict(s) with any State or Federal law or constitutional provisions, or conflict(s) with or is 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 Emergency Executive Order, with the remainder of this Emergency Executive Order remaining intact and in full force and effect. This Emergency Executive Order applies to incorporated and unincorporated Orange County and supersedes and replaces any conflicting provisions of prior Orange County emergency executive orders.

**Section 5. Effective Date; Expiration Date.** This Emergency Executive Order shall become effective on December 6, 2020 at 12:01 a.m. This Emergency Executive Order will remain in effect throughout the state of local emergency declared pursuant to COVID-19, unless earlier rescinded.

ORANGE COUNTY, FLORIDA

By: 

Jerry L. Demings  
Orange County Mayor

RECEIVED AND FILED in the office of the Orange County Comptroller as Clerk to the Board of County Commissioners this 4th day of December 2020, at 3:30 o'clock P.M.

By: 

~~Deputy~~ Comptroller