

ORANGE COUNTY, FLORIDA
EMERGENCY EXECUTIVE ORDER NO. 2020- 25
REGARDING COVID-19
and
Requiring Face Coverings

Date: June 24, 2020

Time: 1:50 P.M.

WHEREAS, Chapter 252, Florida Statutes, and Chapter 2, Article IX, Orange County Code, empower the Orange County Mayor to declare a State of Local Emergency when conditions such as the COVID-19 pandemic exist; and

WHEREAS, on March 13, 2020, I declared a State of Local Emergency in all of Orange County due to COVID-19; and

WHEREAS, Orange County remains in a State of Local Emergency due to COVID-19; and

WHEREAS, on April 29, 2020, the Governor of Florida issued Executive Order 20-112, (Phase 1: Safe. Smart. Step-by-Step. Plan for Florida's Recovery;) and

WHEREAS, on May 1, 2020, I issued Executive Order 2020-12, Reopening Orange County and Requiring Social Distancing and Face Coverings, which set forth minimum standards for Businesses and Places of Assembly to follow unless precluded by the Governor; and

WHEREAS, on June 3, 2020, the Governor of Florida issued Executive Order 20-139 related to Phase 2 of the Recovery; and

WHEREAS, with the significant reopening of its economic, cultural and civic life, bringing more people into contact with each other, Orange County has experienced an increase in the daily positivity rate of infections for COVID-19; and

WHEREAS, recently the number of COVID-19 cases has increased significantly with daily positivity rates for COVID-19 as high as eleven-percent (11%); and

WHEREAS, Orange County health care providers have experienced an increase in emergency room visits and hospitalizations related to COVID-19; and

WHEREAS, in order to limit the probability of continued spread of COVID-19, it is prudent to take more stringent measures to reduce the potential that Stay at Home orders will be reinstated for Orange County; and

WHEREAS, the Center for Disease Control and Prevention (“CDC”) guidelines on social distancing and wearing face coverings must be adhered to if Orange County is to continue on its path to economic recovery; and

WHEREAS, the CDC recommends wearing face coverings in public settings where other social distancing measures are difficult to maintain; and

WHEREAS, the use of face coverings and social distancing are important public health approaches to slow the transmission of COVID-19; and

WHEREAS, during a public health crisis, protecting the health and safety of Orange County’s residents and visitors is among the most important functions of County government; and

WHEREAS, on June 18, 2020, Emergency Executive Order No. 2020-23 was executed, with an effective time and date of 12:01 A.M. on June 20, 2020, regarding COVID-19 and requiring face coverings; and

WHEREAS, subsequently, the County has received numerous inquiries regarding the scope, meaning and interpretation of several parts of Emergency Executive Order No. 2020-23; and

WHEREAS, to provide greater clarity and certainty concerning the meaning of those parts of Emergency Executive Order No. 2020-23, it is necessary to execute this Emergency Executive Order restating Emergency Executive Order No. 2020-23 with underlines showing additions and strike-throughs showing deletions.

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. Definition. Face Covering shall mean a uniform piece of material that securely covers a person’s nose and mouth and remains affixed in place without the use of one’s hands.

Section 2. Face Coverings Required.

- a. Every person working, living, visiting, or doing business in Orange County is required to wear a Face Covering consistent with the current CDC guideline while in any public a place that is open to the public, whether indoors or outdoors.

- b. Medical and surgical face masks, such as “N95” masks or similar medical or surgical masks should be reserved for health care personnel and other first responders with the greatest need for such personal protective equipment. Persons are encouraged to review and comply with the CDC and Florida Department of Health guidelines on personal protective equipment, including with the respect to the use of a medical or surgical face mask, such as “N95” mask or similar medical or surgical mask.
- c. ~~All businesses are strongly encouraged to follow CDC guidelines or industry standards (if any) on face coverings and social distancing.~~ Businesses are reminded that Executive Order 2020-12 requires that both employees and patrons of businesses that require employees and patrons to be within six (6) feet must wear a face ~~mask or~~ covering, unless the wearing of the patron’s face ~~mask or~~ covering would impede the patron’s service, in which case only the service provider must wear a face ~~mask or~~ covering.
- d. All businesses are encouraged to prohibit entry of each person who is not wearing a face covering with the exception of those below listed persons.
- e. Except as herein noted the Governor of Florida’s Executive Order 20-139 shall govern the residents and businesses in Orange County. All services and activities permitted to be operated by the Governor’s Executive Orders (in existence as of this Emergency Executive Order and executed subsequent to this Emergency Executive Order) and/or approved by the Florida Department of Business and Professional Regulation (“DBPR”) may operate in Orange County pursuant to the standards contained herein and referenced by this Emergency Executive Order.

Section 3. Exceptions.

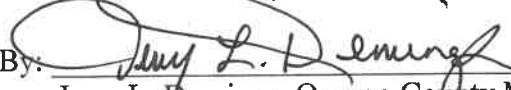
- a. Nothing herein shall require the wearing of face coverings by the following people:
 - i.) Persons under the age of two years old; or
 - ii.) Persons for whom a face covering would cause impairment due to an existing health condition. It is the intent of this provision that those individuals who cannot tolerate a face covering for a medical, sensory or any other condition which makes it difficult for them to utilize a face covering and function in public are not required to wear one. It is recognized that this requirement is broader than what might be considered to be a covered condition under the Americans with Disabilities Act; or
 - iii.) Persons working in a profession who do not have any face-to-face interactions with the public; or

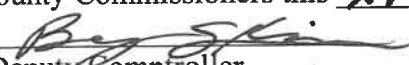
- iv.) Persons working in a profession where use of a face covering will not be compatible with the duties of the profession; or
 - v.) Persons exercising while observing social distancing in accordance with the CDC guidelines; or
 - vi.) Persons who are developmentally unable to comply, including children who may not be able to effectively wear a face covering.
- b. ~~This Order does not apply to employees~~ Employees and patrons of first response, government, healthcare or medical, veterinarian, shelter or rehabilitation, childcare, utility providers, construction, ~~or~~ and transit agencies- shall abide by their particular sector/business-specific face covering protocols consistent with CDC guidelines.

Section 4. Applicability. This Order is in addition to the Executive Orders issued by Governor DeSantis. Any provision(s) within this Order that conflict(s) with any State or Federal law or constitutional provisions, or conflict(s) with or are superseded by a current or subsequently-issued Executive Order of the Governor or 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. This Order applies to incorporated and unincorporated Orange County.

Section 5. Effective Date; Expiration Date. This Order shall become effective ~~on June 20, 2020 at 12:01 A.M~~ upon execution and shall supersede Emergency Executive Order No. 2020-23. This Order will remain in effect throughout the State of Local Emergency pursuant to COVID-19, unless earlier rescinded.

ORANGE COUNTY, FLORIDA

By: 
 Jerry L. Demings, Orange County Mayor,
 as Director of Emergency Management

RECEIVED AND FILED in the office of the Orange County Comptroller, as clerk to the Board of County Commissioners this 24th day of JUNE, 2020 at 1:50 o'clock P.M.
 By: 
 Deputy Comptroller