



**EMERGENCY ORDER NUMBER 10
PALM BEACH COUNTY COVID-19
ADDITIONAL DIRECTIVE ON WEARING OF FACIAL COVERINGS**

WHEREAS, COVID-19, a respiratory illness caused by a virus that spreads rapidly from person to person and may result in serious illness or death, constitutes a clear and present threat to the lives, health, welfare, and safety of the people of Palm Beach County; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis, issued Executive Order 20-52 declaring a state of emergency for the State of Florida as a result of COVID-19; and

WHEREAS, on March 13, 2020, pursuant to Section 252.38(3)(a)(5), Florida Statutes, Palm Beach County declared a local State of Emergency due to the Coronavirus pandemic, which has since been extended in accordance with applicable law; and

WHEREAS, on March 24, 2020, Governor Ron DeSantis also issued Executive Order 20-83 directing the State Surgeon General and the State Health Officer to issue a public health advisory for senior persons and persons that have a serious underlying medical condition that places them at a high risk of severe illness from COVID-19 to stay at home. Such conditions include, but are not limited to, chronic lung disease or moderate to severe asthma; serious heart conditions; immunocompromised status, including those in cancer treatment; and severe obesity; and

WHEREAS, Governor Ron DeSantis has issued a number of subsequent Executive Orders in response to the COVID-19 pandemic, including Executive Order 20-112, a Phase 1: Safe Smart Step-by-Step Plan for Florida's Recovery, under which the Governor re-opened certain businesses, and Executive Order 20-120 which, among other things, served to include Palm Beach County under Phase 1, and Executive Order 20-123, in which the Governor extended and brought all Florida counties into Full Phase 1; and

WHEREAS, the County Administrator pursuant to the authorities cited below has issued various Emergency Orders including Emergency Order 2020-004, Directive to Wear Facial Covers, effective on April 13, 2020; and

WHEREAS, on May 16, 2020, the County Administrator issued Emergency Order 2020-008, amending Emergency Order 2020-004, Directive to Wear Facial Covers, to add a mandatory requirement for persons utilizing the County's Palm Tran transit services to wear facial coverings at all times when entering, riding, or exiting the bus or transit vehicle; and

WHEREAS, Palm Beach County desires to take additional steps to minimize the spread of COVID-19 within Palm Beach County by adding an additional directive mandating the wearing of facial coverings by the public entering Palm Beach County owned buildings.

NOW, THEREFORE, IT IS HEREBY ORDERED pursuant to Palm Beach County Code Chapter 9, Article II, Section 9-35, as well as the authorities granted to me by Declaration of Emergency issued by Governor DeSantis in Executive Order 20-52, by Chapter 252, Florida Statutes, by the Board of County Commissioners, by the Palm Beach County Comprehensive Emergency Management Plan, and as otherwise provided by law, I hereby order as follows:

1. The foregoing recitals are hereby incorporated herein by reference.
2. This Order applies in all incorporated and unincorporated areas of Palm Beach County.
3. Section 3 of Emergency Order 2020-004 is hereby amended as follows:
 - a. **Recommendation for Facial Coverings.** All persons working in, patronizing, or otherwise physically present in grocery stores, restaurants while not seated, pharmacies, construction sites, vehicles for hire, and locations where social distancing measures are not possible should wear facial coverings as defined by the CDC.
 - b. **Palm Tran Face Coverings Required.** All persons utilizing the County's Palm Tran transit services including fixed route, Palm Tran Connection, Go Glades, and any other transit service provided by Palm Tran, shall wear facial coverings at all times when entering, riding, or exiting the bus or transit vehicle, unless a medical accommodation is arranged in advance by contacting Palm Tran at (561) 841-4287.
 - c. **Palm Beach County Governmental Facilities Face Coverings Required.** All persons accessing Palm Beach County governmental buildings for the purposes of conducting public business, visitation, contracting and maintenance, delivery, or any other activity requiring a presence in a county governmental building shall wear facial coverings as defined by the CDC at all times while present in the building. For purposes of this section, Palm Beach County

governmental buildings shall mean any Palm Beach County-owned and operated buildings including, but not limited to, office buildings, service centers, and libraries. Face coverings shall not be required for children under 2 years of age, public safety, fire, and other life safety personnel, and persons with medical conditions that are not compatible with masks. Face coverings shall not be required for individuals participating in indoor sporting or physical fitness events provided 6' physical distancing between participants can be maintained. Additionally, face coverings are not required while seated and dining in restaurant and other food service venues.

All other provisions of Emergency Order 2020-004 remain in full effect.

4. Any provision(s) within this Amendment 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 Amendment, with the remainder of the Amendment remaining intact and in full force and effect. To the extent application of some or all of the provisions of this Amendment is prohibited on the sovereign land of a federally or state recognized sovereign or Indian tribe, such application is expressly excluded from this Amendment. The provisions of this Amendment shall supersede the specific provisions of any previously issued County Emergency Order that is contrary to or in conflict with this Amendment.

5. This Amendment shall be effective as of 12:01 a.m. on June 8, 2020. This Amendment shall 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.

PALM BEACH COUNTY

By: *Verdencia C. Baker*
County Administrator

June 4, 2020
Date

**ATTEST
CLERK & COMPTROLLER**

By: *Shaun R. Beck*
Deputy Clerk

**APPROVED AS TO
LEGAL SUFFICIENCY**

By: *Denise Marie Nieman*
County Attorney