



**EMERGENCY ORDER NUMBER 9
PALM BEACH COUNTY COVID-19
REPEAL OF EMERGENCY ORDER 2020-002a**

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, the County Administrator pursuant to the authorities cited below has issued various Emergency Orders including Emergency Order 2020-002a, closing all noncritical retail and commercial businesses and permitting certain enumerated critical businesses to remain open, effective on March 30, 2020; and

WHEREAS, Governor Ron DeSantis issued Executive Order 20-112, a Phase 1: Safe Smart Step-by-Step Plan for Florida's Recovery, effective May 4, 2020, 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

WHEREAS, on May 15, 2020, the Board of County Commissioners voted to remove the critical lodger restriction on reservations in hotels, motels, and other commercial lodging establishments contained in Emergency Order 2020-002a; and

WHEREAS, the Governor's Executive Order 20-123, effective May 18, 2020, extended and modified Executive Order 20-112 (as modified by Executive Order 20-120) regarding the Safe Smart Step-by-Step Plan for Florida's recovery, bringing all Florida counties into full Phase 1 of the State recovery plan; and

WHEREAS, it has been determined that the Governor's Executive Orders including, but not limited to, Executive Order 20-91 and subsequent orders related to Phase 1, include all retail and commercial businesses identified in the County's Emergency Order 2020-002a; and

WHEREAS, based on the inclusion of Palm Beach County into the State's Phase 1 Recovery Plan, and the existence of various State of Florida Executive Orders encompassing the business locations and types identified in County Emergency Order Number 2020-002a, it has been determined that Emergency Order 2020-002a is no longer necessary.

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. **Palm Beach County Emergency Order 2020-002a is hereby repealed.**
4. 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 or Indian tribe, such application is expressly excluded from this Order. The provisions of this Order shall supersede the specific provisions of any previously issued County Emergency Order that is contrary to or in conflict with this Order.

5. This Order shall be effective as of 12:00 p.m. on May 22, 2020.

PALM BEACH COUNTY

By: Verdenea C. Baker
County Administrator

May 22, 2020
Date

**APPROVED AS TO
LEGAL SUFFICIENCY**

By: Denise Marie Nieman
County Attorney

**ATTEST
CLERK & COMPTROLLER**

By: Shawn J. Beck
Deputy Clerk