A SAFER-AT-HOME ORDER OF THE ST. LUCIE COUNTY ADMINISTRATOR
IN RESPONSE TO A COUNTY WIDE THREAT FROM THE COVID-19 VIRUS

WHEREAS, the St. Lucie County Administrator has made the following determinations:

1. Novel Coronavirus Disease 2019 ("COVID-19") is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

2. In late 2019, a new and significant outbreak of COVID-19 emerged in China; and

3. The World Health Organization previously declared COVID-19 a Public Health Emergency of International Concern; and

4. In response to the recent COVID-19 outbreak in China, Iran, Italy, Japan and South Korea, the Centers for Disease Control and Prevention ("CDC") has deemed it necessary to prohibit or restrict non-essential travel to or from those countries; and

5. On March 1, 2020, the Governor of the State of Florida issued Executive Order Number 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and

6. On March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

7. On March 7, 2020, the Governor of the State of Florida directed the Director of the Division of Emergency Management to activate the State of Emergency Operations Center to Level 2 to provide coordination and response to the COVID-19 emergency; and

8. On March 9, 2020, the Governor of the State of Florida issued Executive Order Number 20-52 declaring that a state of emergency exists in the State of Florida as a result of the spread of the COVID-19 virus and imminent threat to the health and welfare of the citizens of Florida; and

9. The CDC currently recommends community preparedness and that everyday prevention measures should be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs
and sneezes with a tissue and disposal of the tissue immediately thereafter, washing hands often with soap and water for at least 20 seconds, using alcohol-based hand sanitizers with 60%-95% alcohol if soap and water are not readily available and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and

10. The CDC currently recommends mitigation measures for communities experiencing an outbreak including staying at home when sick, keeping away from others who are sick, limiting face-to-face contact with others as much as possible, consulting with your healthcare provider if individuals or members of a household are at high risk for COVID-19 complications, wearing a facemask if advised to do so by a healthcare provider or by a public health official, staying home when a household member is sick with respiratory disease symptoms if instructed to do so by public health officials or a health care provider; and

11. On March 13, 2020, the President of the United States issued a proclamation of a declaration of national emergency; and

12. On March 13, 2020, the Coordinating Officer for the State of Florida Division of Emergency Management issued Emergency Order No. 20-004, authorizing the Department of Education to delay school assessments and to adjust school calendars including rescheduling, extending or cancelling spring breaks; and

13. On March 17, 2020, the St. Lucie County Public Safety Director declared a State of Local Emergency COVID-19 Public Health Emergency (“St. Lucie County Declaration of Emergency”); and

14. On March 24, 2020, the Governor of the State of Florida issued Executive Order No. 20-83 directing the State Surgeon General and State Health Officer to issue a public health advisory to all persons over 65 years of age and persons that have serious underlying medical conditions that place them at high risk of severe illness from COVID-19 urging them to stay home and to take such other measures as necessary to limit their risk of exposure to COVID-19; and

15. Pursuant to Executive Order No. 20-83, the Governor of the State of Florida further directed the State Surgeon General and the State Health Officer to issue a public health advisory providing that individuals should cease all social or recreational gatherings of 10 or more people;
16. On March 25, 2020, the State Surgeon General issued a Public Health Advisory consistent with Executive Order 20-83; and

17. On March 25, 2020, the President of the United States declared that a major disaster exists in the State of Florida as a result of COVID-19; and

18. The State of Florida and St. Lucie County are continuing to experience reports of illnesses and persons testing positive for the virus; and

19. There has been no indication that the spread of COVID-19 is slowing in the State of Florida and St. Lucie County; and

20. St. Lucie County must continue to take emergency action to lessen the spread of COVID-19; and

21. 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 creating a dangerous physical condition spreading from surface to person and causing increased infections to persons, and also creating property or business income loss and damage in certain circumstances; and

22. This Order is being issued because of the propensity of COVID-19 to spread from person to person causing widespread infection and loss of life, and also because COVID-19 is causing property damage and business income loss due to its proclivity to attach to surfaces for prolonged periods of time and thereby creating a dangerous physical condition; and

23. As a governmental civil authority action, it is necessary to impose the regulations and restrictions set forth herein in response to the dangerous physical conditions that currently exists and to stop the COVID-19 virus from spreading; and

24. St. Lucie County wants to take effective and reasonable steps to protect the health of residents and the community; and

25. St. Lucie County does not want to create long-term irreparable economic harm to our residents, businesses, and to the local and regional economy; and
26. St. Lucie County recognizes unified action is paramount to ensure the most effective results and cause the least confusion and panic in the community; and

27. St. Lucie County recognizes the categories and types of essential businesses and services that must remain open; and

28. Non-essential businesses that cannot maintain the required physical distancing to keep customers safe should close; and

29. St. Lucie County wants a measured, reasonable and unified direction for the entire county; and

30. St. Lucie County wants personal responsibility by businesses and residents to observe the mandatory behaviors that have been proven to mitigate the spread of the virus; and

31. As St. Lucie County Administrator, I have determined that a Safer-At-Home Order applicable throughout St. Lucie County is a reasonable and prudent action to take in order to ensure the health, safety, and welfare of the residents of St. Lucie County; and

32. A Safer-At-Home Order is an Order that:

   • Is less restrictive than total lockdowns or shelter-in-place regulations, which prohibit movement outside of the home or a particular location until further notice;

   • Encourages citizens to stay at home as much as possible during the continued COVID-19 crisis and allows travel outside the home to essential activities (e.g. grocery shopping, outdoor activities, doctors and pharmacy visits, and providing essential structure and utility services);

   • Allows non-essential activities, so long as social distancing and other CDC Public Health Mitigation Strategies requirements are followed;

   • Applies to all of the unincorporated and incorporated areas of St. Lucie County.
Paragraph 2 of the St. Lucie County Declaration of Emergency provides that the County Administrator may take all actions necessary and appropriate to protect human life and prosperity, to the extent necessary to accommodate the emergency; and

NOW, THEREFORE, BE IT ORDERED AS FOLLOWS:

1. The determinations, orders, and declarations identified above are incorporated herein.

2. A Safer-At-Home Order is hereby established within all incorporated and unincorporated areas of St. Lucie County, effective as of _____ (am) (pm) on ___________________________, 2020. Safer-At-Home means all residents are directed to stay at home as much as possible twenty-four hours a day, seven days a week, except in those circumstances outlined below. This Safer-At-Home Order shall continue on a daily basis until this order expires or is rescinded.

3. Residents are permitted the unlimited ability to get the necessary food, medicine and essentials. Residents are also permitted to recreate and enjoy the outdoors at any time as long as Social Distancing Requirements are observed along with the other recommended sanitary requirements.

4. This Safer-At-Home Order shall not apply to the following individuals, businesses and services:
   a. Essential federal employees and military personnel who are acting within their employment responsibilities and are already governed by directives of their respective federal agencies.
   b. State and local government employees providing services to carry on government functions during this state of emergency and persons attending government meetings.
   c. School district employees providing services to carry on school district functions during this state of emergency.
   d. 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.

e. Medical and health related personnel while actively pursuing medical or health related activities. This includes personnel employed in the production of medical or health related products.

f. 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 treatment providers; medical transport services; and pharmacies.

g. Mass transit personnel while pursuing employment functions.

h. Persons seeking medical treatment, persons transporting people seeking medical treatment, or caregivers traveling to assist another person with medical or caregiving needs.

i. Fire/Rescue, Law Enforcement, or other First Responder personnel pursuing, or traveling to or from work related activities.

j. Restaurants and other facilities that prepare and serve food, including food trucks, but subject to the limitations and requirements of the Governor’s Executive Order 20-68 and 20-71, and any subsequent Executive Orders and further subject to Social Distancing Requirements.

k. Persons commuting directly to and from places of employment.

l. Persons walking a companion animal in the vicinity of their residence so long as Social Distancing Requirements are observed. Animal care staff (including volunteers) traveling to provide support, obtain care and/or supplies for one's own companion animals or the companion animals of another, or in the course of fostering animals.

m. Grocery stores, farmers markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments primarily engaged in the sale of canned food, dry goods, fresh fruits and vegetables, baby products, pet supply, liquor, fresh or frozen meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell both groceries and
non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operations of residences and other structures.

n. Newspapers, television, radio, delivery and other media services.

o. Gas stations, auto and recreational vehicle supply and repair, auto repair, new and used vehicle sales, motorcycles, scooters, and motorcycle or scooter repair shop, bicycle and bicycle repair shops and related facilities, and towing companies.

P Banks and financial institutions, including insurance firms and pawn shops.

q. Businesses engaged in food cultivation, including farming, livestock, and fishing.

r. Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.

s. Hardware, gardening, and building material stores.

t. Contractors, utility workers and other tradesmen, building management and maintenance (including janitorial companies serving commercial businesses), home security firms, fire and water damage restoration, public adjusters, appliance repair personnel, exterminators, pool and lawn care and golf course maintenance, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and other structures. This includes natural gas, water, wastewater, electric utilities and cable service providers, as well as any truck or shipping company that any of such utility companies have contracted with to deliver their products and services.

u. Businesses primarily providing mailing, pick-up, and shipping services, including post office boxes, logistic providers, including warehouses, trucking, consolidators, fumigators and handlers.

v. Laundromats, dry cleaners, and laundry service providers.

w. Businesses engaged in providing home-based care for seniors, adults, or children, assisted living facilities, nursing homes, adult day care centers, and home-based and residential settings for adults, seniors, children and/or people with disabilities or mental illness.

x. Businesses engaged in the provision of office space and administrative support necessary for the operation of any essential business.

y. Businesses that primarily supply office products needed for people to work from home, but not including businesses that primarily sell or lease furniture, unless the business is operating an on-line service only.
z. Hotels, motels, other commercial lodging establishments, and temporary vacation rentals, subject to the limitations stated in the Governor’s Executive Order Nos. 20-71 and 20-87.

aa. Veterinarian clinics, pet hospitals, pet boarding facilities and animal care staff (including volunteers) who own, operate, or work in the capacity of providing continued care of animals at rescue organizations, boarding facilities, veterinarians and similar businesses, whether or not housed in a shelter.

bb. Mortuaries, funeral homes, and cemeteries including funeral and cremation services and supplies of products to funeral service providers and related services such as body storage or disposal services, an organ donation, or related service providers service.

c. Firearm and ammunition supply stores.

d. Any business that employs five (5) or fewer persons, including management/ownership, where the employees do not come in regular contact with the general public in the regular course of business.

e. Moving, storage and relocation services.

ff. Private and municipal marinas and boat launches, docking, fueling, marine supply, and other marine services, including marine repairs.

gg. Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their residence and stay at a safe alternative location. For purposes of this Order, residences include hotels, motels, shared rental units, shelters, and similar facilities.

hh. Janitorial personnel.

ii. Personnel supporting educational needs.

jj. Religious personnel.

kk. Any parent or guardian transporting a child or children pursuant to a custody sharing agreement or Order.

ll. Airlines, taxis and other private transportation providers providing transportation services via, automobile, truck, boat, bus or train.

mm. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, these 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 child care providers shall not change from one
each group shall be in a separate room. Groups shall not mix or interact with each other. All play equipment used by one group of children must be cleaned and sanitized before use by another group of children. Any child exhibiting symptoms consistent with COVID-19 illness shall not be allowed to stay in the childcare facility.

nn. Attorneys and all personnel associated with supporting essential court proceedings including all federal, state, and county personnel.

oo. Persons commuting directly to or from an exempted activity.

pp. Personnel employed by an entity identified as one of the sixteen critical infrastructure sectors by the Cyber-Infrastructure Security Agency (CISA) of the U.S. Department of Homeland Security when pursuing work related functions or traveling directly to or from work and their respective residents. The CISA essential infrastructure guide is attached to and made a part of this Order. See pages 5-11 of the CISA essential infrastructure guide for detailed descriptions of these critical infrastructure sectors.

qq. Businesses that primarily supply other essential businesses and operations as stated in this Emergency 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), provided the businesses comply with the Social Distancing Requirements.

rr. Businesses that primarily ship or deliver groceries, food, goods, or services directly to residents;

ss. Businesses engaged in providing home-based care for seniors, adults, or children.

tt. Businesses providing professional services, such as legal or accounting services, to the extent those services comply with the social distancing requirements referenced herein.

uu. Businesses operating at any airport, or other government facility, except as provided in the Governor’s Executive Order 20-71.

vv. Logistics providers, including warehouses, trucking, consolidators, fumigators, and handlers.

ww. Telecommunications providers, including sales of computer or telecommunications devices and the provision of home telecommunications.

xx. Businesses engaged in the provision of propane or natural gas.
yy. Businesses providing architectural, engineering, or land surveying services.

zz. 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.

aaa. Waste management services, including businesses engaged primarily in the collection, transfer or disposal of waste.

bbb. Businesses providing goods or services to any local, state, or federal government, pursuant to a contract with such government, but only if such services relate directly to a governmental response to the COVID-19 crisis or relate to a governmental public works project within St. Lucie County.

ccc. Electrical production and distribution services.

ddd. Real estate sales and real property title services subject to compliance with Social Distancing Requirements.

eee. Personal grooming services such as hair salons and nail salons who are able to provide personal service with personal protective equipment by individual appointment and comply with essential Business Cleaning Protocols and Social Distancing Requirements.

5. 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.

6. Businesses which are not described above in paragraph 3 and are able to maintain the required physical distancing (6 feet) may operate.

7. Businesses which are not described above in paragraph 3 and which, by the nature of their business cannot remain open because they are unable to maintain the required physical distancing (6 feet) to keep employees and customers safe, must close (except to extent necessary to perform minimum basic operations, meaning
minimum activities necessary to maintain the value of inventory, preserve physical plant and equipment condition, ensure security, process payroll and employee benefits, communicate with vendors and patrons, and facilitate employees working remotely, provided such businesses shall comply with Social Distancing Requirements, set out in Paragraph 15 and Cleaning Protocols, set out in Paragraph 17.

8. Businesses providing essential services whose function and safety allow them to maintain the required physical distance (6 feet), and those businesses that are able to maintain the required physical distancing (6 feet) shall:

a. Comply with Social Distancing Requirements.

b. Comply with the Essential Business Employee Screening.


d. Direct workers to telecommute when that is feasible.

e. Use best efforts to provide employment opportunities to those who lose jobs because of this emergency by working directly with CareerSource and other designated employment and job agencies.

9. Individuals experiencing homelessness are exempt from this Order, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable and to use in their operation COVID-19 risk mitigation practices recommended by the U.S. Centers for Disease Control and Prevention (CDC) and the Florida Department of Health.

10. Hotels, motels, other commercial lodging establishments, and temporary vacation rentals, subject to the limitations stated in the Governor’s Executive Order 20-70. Hotels, motels, and other commercial lodging establishments shall give reservation priority to Essential Lodgers. “Essential Lodgers” are defined as: (a) healthcare professionals; (b) first responders; (c) National Guard members; (d) law enforcement; (e) local state and federal government employees; (f) airline crewmembers; (g) patients; (h) patients’ families; (i) journalists; (j) others providing direct services in response to COVID-19; (k) displaced residents or visitors dislodged from local lodging due to the COVID-19 virus; (l) persons utilizing hotels as transitional living arrangements; (m) persons sheltering in hotels due to domestic violence; (n) hotel employees, service providers, and contractors; or (o) St. Lucie County residents, who for any reason, are temporarily unable to reside in their home due to exigent circumstances.
11. Local businesses that produce and provide essential necessities such as food, medicines, medical equipment and supplies will make best efforts to prioritize those goods for the use of St. Lucie County.

12. Local businesses that have the ability to do so shall alter their production and manufacturing in Order to provide products to meet the need in the County for critical testing, collection, protective gear and treatments.

13. Those with the financial means are encouraged to increase their financial support to local charities and organizations that provide direct social service and employment services to displaced workers.

14. **Limit on Gatherings:** Social or recreational gatherings of 10 or more persons are prohibited in St. Lucie County, except as provided above. Social Distancing Requirements shall be observed. Local law enforcement is authorized to disperse gatherings of 10 or more persons and treat violations of this emergency measure as a second-degree misdemeanor. This provision does not prohibit the gathering of a members of a household or residence. A "social or recreational gathering" does not include a group of persons at the following locations:

   a. Office space, childcare facilities, residential buildings, or any type of temporary shelter or housing;

   b. Hospitals, nursing homes, assisted living facilities, and other health care facilities;

   c. Places of worship;

   d. Grocery stores and pharmacies;

   e. Airport;

   f. Any other location at which persons purchase supplies and services in furtherance of their employment.

15. **Social Distancing Requirements.** A person in a public space shall:

   a. Practice social distancing by staying at least 6 feet away whenever practicable from another person, excluding immediate family members, caretakers or, household members;

   b. Cover all coughs and sneezes with their elbow or tissue;

   c. Not shake hands;
d. Not enter any public place if the person exhibits any flu or COVID-19 like symptoms and/or has a fever over 99.9 degrees Fahrenheit unless that person is traveling to or from a hospital, doctor’s office, urgent care, walk-in clinic, or pharmacy;

e. If a person is exhibiting flu or COVID-19 like symptoms or has a fever over 99.9 degrees Fahrenheit and is seeking medical treatment, the person shall first contact their medical provider by phone before appearing at the medical provider’s office; and

f. If a person is exhibiting flu or COVID-19 like symptoms or has a fever over degrees Fahrenheit and requires a prescription or a refill thereof and the pharmacy has a drive-thru window and/or delivery service, that person shall utilize the drive-thru window and/or delivery service to receive their medication.

16. Essential Business Employee Screening. For those businesses deemed to be an Essential Business, as set forth above, these facilities shall implement employee screening and prohibit any employee from entering the premises if they affirmatively answer any of the below questions, as recommended by the Center for Disease Control and Prevention (CDC):

a. Have you returned from international travel (anywhere outside the United States) or been on a cruise within the last 14 days?

b. Have you been in contact with anyone who has returned from international travel or been on a cruise within the last 14 days?

c. Have you been in any gathering of 50 people or more in the last 14 days?

d. Have you traveled through any airport within the past 14 days?

e. Have you traveled to any area known to have high numbers of positive cases of COVID-19, including but not limited to California, Washington, New Jersey, New York, Connecticut, Massachusetts, or Washington D.C. within the past 14 days?

f. Have you experienced signs or symptoms of COVID-19, such as fever over 99.9 degrees Fahrenheit, cough or shortness of breath?

17. Essential Business Cleaning Protocols. For those businesses deemed to be an Essential Business, as set forth above, these facilities must make every effort to:

a. Provide disinfectant wipes or equivalent for shopping carts and baskets or disinfect shopping carts and baskets after each use.
b. Disinfect hourly, at a minimum all check out areas, including but not limited to, conveyor belts, cash registers, and credit card areas.

c. Disinfect after closing or before opening all areas of the business that customers may touch or come into contact.

d. Require employees or independent contractors present to wash and/or disinfect their hands at least once per hour.

e. Clean and disinfect any pen, stylus or screen used to sign receipts after each customer or waive the need to sign a receipt.

f. Ensure that no more than 10 people, including staff, are gathered in any particular area of the Essential Business.

g. Ensure that customers at checkout are separated by at least 6 feet.

h. Disinfect all door handles used by the general public at least hourly during business hours.

i. Essential Businesses with waiting rooms must ensure that no person shall be seated within 6 feet of another person and all seats must be disinfected after each use.

j. Do not allow more than 25% of their approved maximum capacity into any location.

18. It is the intent of this Order to seek voluntary compliance with the provisions contained herein and to educate and warn of the dangers of noncompliance. However, in the event voluntary compliance is not achieved then in that event and as a last resort, a violation of this Order, pursuant to the provision of section 252.50, Florida Statutes, may be prosecuted as a second degree misdemeanor punishable as provided in section 775.082 or 775.083, F.S.

Applicability.

This Order does not affect or limit the operations of St. Lucie County, any public utility, any municipality, the St. Lucie County School District, any other local government entity in St. Lucie County, or any State or Federal office or facility, and utility providers and contractors while engaged in their duties.

The provisions of this Order shall apply to the incorporated and unincorporated areas within St. Lucie County.

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.

This Order is effective twenty-four hours after adoption as of ___ a.m./p.m. on _____ day of ______________, 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.

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

This Order shall be filed in the Office of the Clerk of the Circuit Court.

Signed this _____ day of ______________, 2020 at _____ (am) (pm).

__________________________________________
Howard N. Tipton
County Administrator