

EMERGENCY EXECUTIVE PROCLAMATION 2020-005

June 29, 2020

TO: All Elected Officials, Department Heads, Division Chiefs, Boards and Independent Agencies – Consolidated City of Jacksonville

FROM: Lenny Curry, Mayor

SUBJECT: Proclamation and Declaration of Emergency in Accordance with Chapter 674, *Jacksonville Ordinance Code* due to Emergency Conditions.

By virtue of the authority vested in me as Mayor by the Charter and as Chief Executive and Administrative Officer of the Consolidated Government, I hereby proclaim and declare a state of emergency exists associated with the Novel Coronavirus Disease 2019 (COVID-19).

WHEREAS, on March 1, 2020, in response to the World Health Organization’s declaration of COVID-19 as a Public Health Emergency of International Concern, Governor Ron DeSantis issued Executive Order Number 20-51, declaring a State of Florida Public Health Emergency associated with the threat to Florida residents associated with COVID-19 and invoking the State of Florida emergency response actions by the Florida Department of Health and the State Health Officer; and

WHEREAS, on March 9, 2020, in response to eight counties in Florida with positive COVID-19 cases, Governor Ron DeSantis issued Executive Order Number 20-52, directing the Director of the Division of Emergency Management, as the State Coordinating Officer, to execute State of Florida’s Comprehensive Emergency Management Plan and other response, recover, and mitigation plans necessary to cope with the emergency; and

WHEREAS, Governor DeSantis’ Executive Orders 20-51 and 20-52 are hereby incorporated and adopted into this Emergency Executive Proclamation to the extent Duval County is obligated to respond thereto; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a national emergency to combat COVID-19; and

WHEREAS, on March 13, 2020, I issued Emergency Executive Proclamation 2020-001 to declare a local state of emergency to invoke the emergency response authorities in Chapter 674, *Ordinance Code*; and

WHEREAS, in response to the issuance of several Executive Orders rendered by Governor Desantis associated with the gradual reopening of the state, my local Emergency Proclamations and Executive Orders were no longer required and were allowed to expire; and

WHEREAS, the CDC advises that, while a significant portion of individuals with COVID-19 are asymptomatic, the virus can still spread between people interacting in close proximity—for example, speaking, coughing, or sneezing—even if those people are not exhibiting symptoms; and

WHEREAS, the CDC recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain or are not being followed in order to slow the spread of the virus and help people who may have the virus and do not know it from transmitting it to others; and

WHEREAS, the CDC defines “social distancing” as limiting close contact (less than 6 feet of separation) with others outside your household in indoor and outdoor spaces; and

WHEREAS, the CDC does not recommend wearing cloth face covering for children under the age of 6, or anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the mask without assistance; and

WHEREAS, cloth face coverings are relatively inexpensive and readily available as the CDC states they can be made from household items and provides online guidance for making “do-it-yourself” coverings for people that cannot or do not want to buy one from the increasing sources producing and selling coverings; and

WHEREAS, an increasing number of state and local governments throughout the United States and Florida are requiring facial coverings to be worn in public; and

WHEREAS, the State of Florida has not preempted local governments from regulating in the field of minimum health requirements with respect to COVID19; and

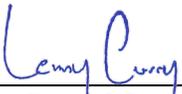
WHEREAS, it is necessary to invoke the emergency response authorities in Chapter 674, *Ordinance Code* in order to enable the Consolidated City of Jacksonville to respond to its obligations under Governor DeSantis’ Executive Orders 20-51 and 20-52 and to appropriately respond to the needs of Duval County and its citizens.

NOW THEREFORE, it is declared and ordered as follows, to take immediate effect in the Consolidated City (including the Beaches and Baldwin):

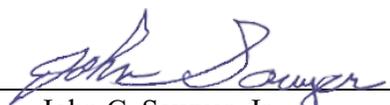
- (1) Every person over the age of six (6) who is in a public space shall wear a face mask or covering when not able to engage in social distancing.
- (2) Every operator, employee, customer or patron of a business establishment must wear a face mask or covering at all times while at that business establishment unless he or she is able to engage in social distancing or unless wearing a face mask or covering significantly interferes with the provision or receipt of goods or services offered or received at that establishment (i.e. patrons at a restaurant, clients at a barber shop or hair salon, patients at a dentist’s office).
- (3) The operator and employees of a business establishment shall ensure that every individual in that establishment complies with this Proclamation.
- (4) Public safety, fire, law enforcement, and other life safety personnel are exempted from this requirement, as their personal protective equipment requirements will be governed by their respective agencies.

ADA ACCOMODATION. When a customer of a business establishment asserts that he or she has a disability that prevents the individual from wearing a face mask or covering, the owner, manager, or employee of the business establishment may exclude the individual, even if they have a disability, as they pose a direct threat to the health and safety of employees and other customers, even if asymptomatic, and shall accommodate the disabled individual in a manner that does not fundamentally alter the operations of the business establishment nor jeopardize the health of that business's employees and other customers, such as providing curb service or delivery or other reasonable accommodation.

Be it so proclaimed:



Lenny Curry, Mayor

Attested by: 

John C. Sawyer, Jr.
Corporation Secretary



Effective as of the 29th day of June, 2020 at 5:00 P.M.

Form Approved:



Jason Gabriel, General Counsel