INDIAN RIVER COUNTY EMERGENCY ORDER 2020-005

WHEREAS, on March 1, 2020, Governor Ron DeSantis, in his capacity as Governor of the State of Florida, issued Executive Order 20-51, directing the declaration of a public health emergency and establishing the State of Florida's response to COVID-19; and

WHEREAS, on March 1, 2020, the State Surgeon General declared a public health emergency in the State of Florida; and

WHEREAS, on March 7, 2020, Indian River County began making preparations to address COVID-19; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis, in his capacity as Governor of the State of Florida, issued Executive Order Number 20-52, declaring that a state of emergency exists in the State of Florida by reason of COVID-19; and

WHEREAS, on April 1, 2020, Governor Ron DeSantis issued Executive Order Number 20-91, in which he declared that essential activities included "[p]articipating in recreational activities (consistent with social distancing guidelines) such as walking, biking, hiking, fishing, hunting, running, or swimming"; and

WHEREAS, pursuant to section 101.10(1) of the Code of Indian River County, and Resolution 2019-55 of the Indian River County Board of County Commissioners, the County Administrator is authorized to declare a local state of emergency upon making a determination that a disaster has occurred or is imminent, requiring immediate and expeditious action,

WHEREAS, in my capacity as County Administrator, I determined that, by reason of COVID-19, the threat of a disaster had occurred or was imminent, requiring immediate and expeditious action, and declared that a local state of emergency existed in all of Indian River County, Florida, effective as of 8:00 a.m., on the 17th day of March, 2020; and

WHEREAS, in my capacity as County Administrator, I determined that, by reason of COVID-19, the threat of a disaster had occurred or was imminent, requiring immediate and expeditious action, and declared that a local state of emergency existed and continued to exist in

all of Indian River County, Florida, effective as of 8:00 a.m., on March, 24, March 31, April 7, April 14, and again on April 21, 2020; and

WHEREAS, by reason of such declarations of a state of emergency, and pursuant to the authority granted in me in my capacity as County Administrator, I am authorized to enter emergency orders necessary to ensure the health, safety and welfare of the residents of Indian River County, including, without limitation, those orders authorized in chapter 252, Florida Statutes, and chapter 101 of the Code of Indian River County, and other applicable law;

WHEREAS, on March 22, 2020, all City of Vero Beach, Town of Indian River Shores and Indian River County Beach Access Points were closed to the public until further notice; and

WHEREAS, due to the current status of COVID-19 in Indian River County and in order to promote the physical health and mental well-being of Indian River County residents it is appropriate to provide beach access for recreational purposes consistent with Executive Order Number 20-91, in addition to continued access to various other County parks;

NOW, THEREFORE, this Emergency Order is issued declaring the public beach access points at Golden Sands, Wabasso Beach, Tracking Station Beach, Round Island Beach, the east end of Beachcomber Lane, South Beach, Humiston Beach, Sexton Plaza Beach, Conn Beach and Jaycee Beach are opened to the public subject to the following conditions:

1. Use of the opened public beach parks shall be limited to 7 am to 7 pm, seven days a week.

2. The following activities shall be permitted in opened public beach parks while utilizing social distancing standards in accordance with CDC Guidelines and physical distancing of at least 6 feet and no groups of more than 10 people –
    a. Walking;
    b. Running;
    c. Swimming, including wading and floating;
    d. Surfing, paddleboarding, and kayaking, where currently allowed; and
    e. Exercising.

3. The following activities are prohibited in opened public beach parks –
    a. Sunbathing;
    b. Picnicking;
    c. Group Sports or Activities; and
    d. Sitting or being stationary on the beach.

4. The following items shall be prohibited on the beach in opened public beach parks -
    a. Blankets;
    b. Chairs;
    c. Coolers;

d. Beach Umbrellas;
e. Tents; and
f. Any item that promotes or is intended for use in a stationary mode.

5. All other public beach access points remain closed.

THIS EMERGENCY ORDER shall be enforced per section 205.05 of the Code of Indian River County, where applicable, and section 252.47, Florida Statutes. Violation of this Emergency Order is punishable pursuant to section 252.50, Florida Statutes as a misdemeanor of the second degree.

THIS EMERGENCY ORDER shall be in effect in Indian River County, from 7 a.m. on April 28, 2020 until 7 a.m. on May 5, 2020, or until further order.

DONE AND ORDERED this 24th day of April, 2020.

Jason E. Brown, Indian River County Administrator