

PALM BEACH COUNTY
DIRECTING STAY HOME- STAY SAFE: SAFER AT HOME POLICY
AMENDMENT
TO EMERGENCY ORDER NUMBER 3
PALM BEACH COUNTY COVID-19

WHEREAS, on March 24, 2020, Governor Ron DeSantis issued Executive Order 20-83 directing the State Surgeon General and the State Health Officer to issue a public health advisory to advise 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, Palm Beach County strongly urges that all persons limit their movements and stay home-stay safe to minimize the spread of COVID-19, to protect the most vulnerable among us, to protect the medical community, and to protect first responders who are displaying heroic efforts in these difficult circumstances; and

WHEREAS, the elderly and those who have underlying health conditions are most vulnerable and Palm Beach County has a large elderly community who risk contracting COVID-19 from persons in the community who interact with family members and neighbors by engaging in activities outside the home; and

WHEREAS, it is vital that all residents cooperate and restrict all travel and activities outside of their homes and residences in order to keep the community safe; and

WHEREAS, beginning on March 25, 2020, Palm Beach County entered an order strongly urging residents to stay home especially elderly residents and herein we are strengthening and reaffirming our Stay Home-Stay Safe: Safer at Home Policy as such is likely to save the lives of County residents, their family members and friends, and others in the community, as well as, preserving scarce resources to allow the health community

time to prepare further treatment and equipment to slow the spread of the COVID-19 virus; and

WHEREAS, on March 25, 2020, Palm Beach County issued its Emergency Order No. 3 closing all parks and golf courses; and

WHEREAS, it is now necessary to clarify by way of this Amendment that, all public and private parks, public and private golf courses, golf facilities, and community pools within Palm Beach County are closed. Such closure includes, but is not limited to, community and public pools; municipal golf courses; private membership-only access golf courses and golf clubs; all municipal parks; all private community parks; all parks within public, private and gated communities; community association and condominium association golf courses and parks; homeowner association golf courses, golf clubs and parks; and every other golf course, golf facility and park within unincorporated and incorporated Palm Beach County; and

WHEREAS, it is further necessary to clarify, by way of this Amendment, that any municipal orders that contradict or conflict with this Order, or any order issued either before or after this Order, are invalid to the extent that they conflict with closures or any other directives contained in a Palm Beach County order. Municipalities may order more restrictive closures than those ordered by the County; however, municipalities do not have the authority to contradict orders issued by Palm Beach County.

NOW, THEREFORE, IT IS HEREBY ORDERED pursuant to Palm Beach County Code Article II, Section 9-35 and all other applicable laws, that:

1. The foregoing recitals are hereby incorporated herein by reference.
2. The Order applies in all incorporated and unincorporated areas of Palm Beach County.
3. Effective as of March 25, 2020, all public and private parks within Palm Beach County are closed. This includes, but is not limited to: all municipal parks; all private community parks; all parks within public, private, and gated communities; and all regional and district county parks.

4. Effective as of March 25, 2020, all public and private golf courses within Palm Beach County are closed. This includes, but is not limited to: municipal golf courses; private membership-only access golf courses and golf clubs; community association and condominium association golf courses and parks; homeowner association golf courses, golf clubs and parks; and every other golf course, golf facility and park within unincorporated and incorporated Palm Beach County.
5. Effective as of March 30, 2020 at 12:01 a.m., all community pools in Palm Beach County are closed, including community pools in both incorporated and unincorporated Palm Beach County.
6. Municipalities may order more restrictive closures or measures not inconsistent with this Order, but this Order shall take precedence over any municipal order that conflicts with or contradicts this Order, or any other Palm Beach County order issued prior to or after this one concerning the COVID-19 emergency response, by Palm Beach County.
7. Effective as of March 30, 2020 at 12:01 a.m., individuals are strongly urged to stay home or at their place of residence, other than for the following critical activities:
 - a. To engage in activities or perform tasks critical to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional;
 - b. To obtain necessary services or supplies for themselves and their family or household members (including, but not limited to, pets), or to deliver those services or supplies to others, such as, by way of example only and without limitation, money from banks and related financial institutions, including pawn shops, groceries and food, household consumer products, supplies needed to work from home, and products necessary to maintain the safety, sanitation, and critical operation of homes and residences;

- c. To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets for activities as allowed by this Policy;
 - d. To engage in individual daily outdoor exercise that complies with CDC social distancing guidelines. Individuals outside their homes shall comply with all requirements of the Executive Orders issued by the Governor of the State of Florida and all Palm Beach County Emergency Orders, and must adhere to all measures advised by the CDC and the Florida Department of Health regarding social distancing; and
 - e. To engage in the minimum activities necessary for the conduct of Minimum Basic Operations (as defined in Section 3 and 44 of Palm Beach County Emergency Order Number 2a (2020-002a) or to engage in or patronize critical businesses (as enumerated in Section 4 of Palm Beach County Emergency Order Number 2a (2020-002a), unless otherwise expressly exempted from the limitations pursuant to the Amendment to Palm Beach County Emergency Order Number 1 (2020-001a).
8. Section 7 above shall not apply to individuals whose homes or residences are unsafe or become unsafe, victims of domestic violence, or individuals who are homeless.
9. The provisions of Palm Beach County Emergency Order Number 2a remain in full force and effect and are not modified by this Order except as provided herein.
10. The Sheriff of Palm Beach County and other law enforcement personnel are hereby authorized and directed to enforce Sections 3, 4 and 5 of this Order, and shall enforce all other COVID-19 emergency orders of Palm Beach County including, but not limited to, Emergency Orders 2020-1, 2020-1a, 2020-002, and 2020-002a, and 2020-003 and all additional amendments executed thereto. Nothing herein shall restrict the authority of the Sheriff and other law enforcement personnel to enforce all other emergency orders, including amendments thereto, issued by the County.

11. This Order shall be filed in the office of the Clerk of Circuit Court and delivered to appropriate news media for publication and radio and television broadcast.
12. This Order shall remain in effect until the expiration of Palm Beach County's Declaration of Emergency and any extension thereof, or until terminated or amended by further order.
13. 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 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.

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PALM BEACH COUNTY

**APPROVED AS TO
LEGAL SUFFICIENCY**

By: _____
County Administrator

By: _____
County Attorney

Date

**ATTEST
CLERK & COMPTROLLER**

By: _____
Deputy Clerk