

VILLAGE OF INDIANTOWN

EMERGENCY RESOLUTION NO. XXX-2020

AN EMERGENCY RESOLUTION OF THE VILLAGE OF INDIANTOWN, FLORIDA, MAKING FINDINGS ABOUT THE COVID-19 EMERGENCY; REQUIRING THE WEARING OF FACE COVERINGS IN PUBLIC; PROVIDING FOR EXCEPTIONS; PROVIDING DIRECTIONS TO THE VILLAGE MANAGER; PROVIDING FOR AN EFFECTIVE DATE AND TERMINATION.

WHEREAS, COVID-19 is a respiratory illness caused by a virus that spreads rapidly from person to person and may result in serious illness or death, and constitutes a clear and present threat to the lives, health, welfare, and safety of the people of the Village of Indiantown, Florida; and

WHEREAS, on March 1, 2020, the Governor of Florida issued Executive Order Number 20-51, directing the State Health Officer and Surgeon General to declare a Public Health Emergency due to the discovery of COVID-19 in Florida; and

WHEREAS, on March 9, 2020, the Governor of Florida issued Executive Order Number 20-52, declaring a State of Emergency for the State of Florida related to COVID-19 and enacting the powers of political subdivisions to exercise their powers under Chapter 252, Florida Statutes; and

WHEREAS, on March 19, 2020, the Village Council of the Village of Indiantown adopted Emergency Resolution 13-2020, declaring a state of local emergency due to the threat of COVID-19; and

WHEREAS, COVID-19 is an emergency whose increasing effects are being felt within the Village of Indiantown, and on account thereof, there is reason to believe that the virus will continue to spread; and

WHEREAS, pursuant to Section 252.46, Florida Statutes, municipalities have the power to issue emergency orders and rules having the full force and effect of law; and

WHEREAS, 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 spreading from surface to person and causing increased infections to persons; and

WHEREAS, public health experts have consistently recommended avoiding close physical interaction between people in order to slow the spread of COVID-19, and the Centers for Disease Control (“CDC”) has updated and further restricted its distancing guidelines; and

WHEREAS, despite measures previously taken, COVID-19 has rapidly spread in the State of Florida as well as in the Village of Indiantown, necessitating updated and more stringent distancing guidelines; and

WHEREAS, as of the date of this Emergency Resolution, COVID-19 continues to be a concern due to increases in the number of positive cases within the jurisdictional boundaries of the Village of Indiantown, and to limit its potential community spread, it is now necessary for the Village of Indiantown to implement further restrictions for the general health, safety, and welfare of the community; and

WHEREAS, the CDC recommends wearing face coverings in public settings where other social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies); and

WHEREAS, while it is important to update and revise the social distancing guidelines to protect the public, it is also important to preserve the public’s access to necessary services, such as food, prescriptions and health care, and to maintain the operation of critical infrastructure as identified by the federal government; and

WHEREAS, this Emergency Resolution is issued to protect the health and safety of the citizens, residents and visitors of the Village of Indiantown, to assist the healthcare delivery system in its ability to serve those persons infected by COVID-19, and to preserve the public’s access to essential services and maintain the operation of critical infrastructure.

NOW, THEREFORE BE IT RESOLVED, by the Village Council of the Village of Indiantown, Florida, as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS. The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

SECTION 2. EMERGENCY ORDER. This Emergency Resolution is and shall constitute an order or rule having the full force and effect of law, adopted pursuant to the authority of Section 252.46, Florida Statutes.

SECTION 3. DEFINITIONS.

Face Covering shall mean a uniform piece of material that securely covers a person's nose and mouth and remains affixed in place without the use of one's hands.

SECTION 4. FACE COVERINGS REQUIRED. Every person working, living, visiting, or doing business in the Village of Indiantown is required to wear a facial covering consistent with the current CDC guidelines while in any public place.

SECTION 5. EXCEPTIONS. Nothing herein shall require the wearing of face coverings by the following persons:

- i) Persons under the age of two years; and
- ii) Persons for whom a face covering would cause impairment due to an existing health condition; and
- iii) Persons working in a profession who do not have any face-to-face interactions with the public; and
- iv) Persons working in a profession where use of a face covering will not be compatible with the duties of the profession; and
- v) Persons exercising, while observing social distancing in accordance with CDC guidelines.

SECTION 6. AUTHORIZATION. The Village Manager is authorized to take any and all steps necessary to publicize the requirements of this Emergency Resolution.

SECTION 7. EFFECTIVE DATE AND TERMINATION. This Emergency Resolution shall take effect immediately upon adoption, and shall continue in force until the repeal or expiration of Emergency Resolution 13-2020, including any extensions thereof, or repeal or modification hereof by resolution or emergency order.

ADOPTED this 28th day of April, 2020, at _____ p.m.

ATTEST:

VILLAGE OF INDIANTOWN, FLORIDA

SUSAN A. OWENS, MPA, MMC
VILLAGE CLERK

GUYTON STONE
MAYOR

REVIEWED FOR FORM AND
CORRECTNESS:

WADE C. VOSE
VILLAGE ATTORNEY