



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - Miscellaneous

A.

4/16/2020

Subject:

Recommendation to Policy Group to revisit the limitation on Tourism Order - Proposed revisions to order.

Fiscal Impact:

Dept/Office:

County Attorney Office

Requested Action:

Summary Explanation and Background:

Clerk to the Board Instructions:



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

April 17, 2020

M E M O R A N D U M

TO: Eden Bentley, County Attorney

RE: Item II.A., Recommendation to Policy Group to Revisit the Limitation on Tourism Order – Proposed Revisions to Order

The Board of County Commissioners, in special session on April 16, 2020, recommended to send to the Policy Group the Limitation on Tourism Order – Proposed Revisions to Order, with the definitions described in Attachment "A" inserted into the form at Attachment "B".

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Kimberly Powell, Deputy Clerk

/cw

cc: Each Commissioner
County Manager

**FIRST AMENDED LIMITATION ON TOURISM AND LODGING ORDER
IN ACCORDANCE WITH EXECUTIVE ORDER 20-91
(COVID-19 DOCUMENT #12)**

WHEREAS, on March 14, 2020, a State of Local Emergency was declared by Brevard County (Covid-19 Document #1); and

WHEREAS, on March 16, 2020 the First Amendment to the State of Local Emergency Proclamation was issued (COVID-19 Document #2); and

WHEREAS, on March 18, 2020 the Second Amendment to the State of Local Emergency Proclamation was issued to close all beach public parking access in Brevard County (COVID-19 Document #3); and

WHEREAS, the COVID-19 virus poses a health threat to Brevard County residents and current visitors, particularly the elderly and others who are medically vulnerable; and

WHEREAS, minimization of contact is necessary to avoid risk of spreading the COVID-19 virus to the residents of and current visitors to, Brevard County; and

WHEREAS, on April 1, 2020, Governor DeSantis issued Executive Order 20-91 wherein he ordered that persons who are 65 years of age or older and persons who have significant underlying medical conditions shall stay at home and take all measures to limit the risk of exposure to COVID-19; and

WHEREAS, in Executive Order 20-91, Governor DeSantis further ordered that all persons in Florida shall limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities; and

WHEREAS, hotels, motels and other commercial lodging are identified in Executive Order 20-91 as essential services; and

WHEREAS, tourism is not identified as an essential service or essential activity in Executive Order 20-91; and

WHEREAS, on March 27, 2020, Governor DeSantis issued Executive Order 20-87 wherein he significantly restricted vacation rentals throughout the State of Florida until further notice; and

WHEREAS, on April 10, 2020, Governor DeSantis issued Executive Order 20-103 wherein he extended the restriction on vacation rentals found in Executive Order 20-87; and

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WHEREAS, high travel volumes and mass gatherings create an increased risk of escalating the spread of the COVID-19 virus; and

WHEREAS, Maria Stahl, DNP, RN, Administrator for the Florida Department of Health, opined that in her expert opinion that it would help to reduce the rate of infection to restrict travelers from coming to Brevard County; and

WHEREAS, Dr. Stahl was appointed as the Department of Health's (DOH) administrator in Brevard in November 2016 with the concurrence of Brevard County's Board of Commissioners, and Dr. Stahl has worked 37 years in public health practice including 13 years in public health practice in Buffalo, New York; and

WHEREAS, Dr. Tai F. Yang, a pediatrician in Brevard County, Florida contacted Brevard County Emergency Management to request the reduced exposure of patients to the virus by reducing the number of tourists in the County; and

WHEREAS, according to a recent study of counties above 500,000 people throughout the country, Brevard County, as well as several other central Florida counties, were among those that had the highest average travel through March 27, 2020

<https://www.nytimes.com/interactive/2020/04/02/us/coronavirus-social-distancing.html?action=click&module=Top%20Stories&pgtype=Homepage> and <https://www.beckershospitalreview.com/rankings-and-ratings/20-us-counties-where-people-traveled-most-as-of-last-week.html>); and

WHEREAS, Brevard County seeks to reduce the travel rate and follow the limitations on movement directed by the Governor; and

WHEREAS, Brevard County intends to fully comply with Governor DeSantis' Executive Order 20-91 and take action locally to ensure that the people in Florida are staying home except for the limited purpose of obtaining or providing essential services or conducting essential activities; and

WHEREAS, per Dr. Stahl, acceleration of the number of cases of COVID-19 in the neighboring counties increases the risk that individuals in those counties may inadvertently bring the virus to Brevard County; and

WHEREAS, limiting the number of people entering Brevard County, Florida may reduce the rate of exposure to the COVID-19 virus within the County

WHEREAS, the Policy Group adopted the Order limiting Tourism on April 2, 2020, and

WHEREAS, the Board of County Commissioners requested that the Policy Group revisit the Order and provide a self-certification procedure, and

WHEREAS, since the adoption of the Limitation on Tourism and Lodging Order, various requests for changes and clarifications have been received, and

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WHEREAS, the Policy Group wishes to amend the Order to include additional information and direction and provide a self-certification procedure ensuring compliance with this Order.

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NOW THEREFORE, IT IS RESOLVED this 2nd day of April, 2020, that the COVID-19 pandemic continues to pose a serious threat to the health and lives of residents and current visitors of Brevard County and that to effectuate the limitations on residents of the State of Florida, as ordered by the Governor in Executive Order 20-91, Brevard County, Florida is closing to tourists and leisure visitors to minimize the risk of spreading the COVID-19 virus.

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~~BE IT FURTHER RESOLVED that pursuant to the Brevard County Comprehensive Emergency Management Plan, the Policy Group hereby incorporates the Local State of Emergency Proclamation signed on March 14, 2020 and first amended on March 16, 2020, and amended on March 18, 2020 and the above WHEREAS clauses herein and hereby authorizes the exercise of its authority and powers pursuant to Florida Statutes 252.38(3), to order the following:~~

ENFORCEMENT OF EXECUTIVE ORDER NO. 20-91 ISSUED BY GOVERNOR RON DESANTIS ON APRIL 1, 2020; TOURISM AS A NON-ESSENTIAL ACTIVITY AND CLOSURE OF BREVARD COUNTY TO TOURISTS; HOTEL AND CAMPGROUND DIRECTIVES AND ORDERS TO LIMIT NON ESSENTIAL ACTIVITY AND ALLOW SPECIFIED ESSENTIAL SERVICE SUPPORT SERVICES: In order to protect the residents of Brevard County Florida from the ongoing public health threat posed by the COVID-19 pandemic and follow the guidelines regarding the "Safer at Home" Order, Executive Order 20-91, and in recognition of the limited definition of essential activities, therein, Brevard County finds tourism and general leisure activities related to tourism are not authorized under Executive Order 20-91. Accordingly, Brevard County is closing to all tourists and leisure visitors.

NOW THEREFORE, it is

ORDERED that:

1. To effectuate the limitations on residents of the State of Florida ordered by the Governor in Executive Order 20-91, Brevard County, Florida is closed to tourists and leisure visitors.
2. To implement the closure effective 12:01 a.m. on April 3, 2020, all hotels, motels, campgrounds, short term (defined as less than 28 days) vacation rentals, and other transient rentals to include marinas, recreational vehicle parks, and timeshares shall cease renting to tourists or leisure travelers until the effective date in paragraph 7. for 30 days. This ban shall not apply to rentals to transitory military personnel, first responders, healthcare workers, construction workers actively engaged in projects in Brevard County and others working or engaged in formal business in

Brevard County, Florida. Domestic violence victims sheltering or living in Brevard County Florida as of April 1, 2020, are also permitted lodgers. A more extensive list of common types of authorized lodgers is provided at Attachment "A".

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3. To demonstrate compliance with this Order, lodgers shall provide a letter from the lodger's employer indicating the stay is work related or a doctor's note justifying the need for the lodger tourist(s) to shelter in place shall be required by the rental or lodging facility upon arrival at any of the listed facilities. Alternatively, self-certification in the form provided at Attachment "B" shall be provided to the facility prior to checking in. The Sheriff of Brevard County, or his sworn deputies, may also require such persons to provide such proof of employment or doctor's note. Current occupants as of April 2, 2020, shall be permitted to remain until the end of existing reservations or short-term rental periods in effect. Individuals who hold reservations but are not yet occupying the facility may not check-in without meeting the foregoing conditions.

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- 2-4. Upon lawful request by law enforcement based on a reasonable suspicion of a violation of this Order or any other violation of Florida law or Executive Order 20-87, 20-91 or 20-103, a lodging establishment shall furnish a copy of any essential purpose verification documentation as described herein and accompanying rental records and receipts of a lodger to the requesting law enforcement officer or agency.

- 3-5. Nothing herein shall be applied in a manner that is less restrictive than conflicts with Executive Order 20-87, Executive Order 20-103 and Executive Order 20-91, and other applicable law.

- 4-6. All access and use of spoil islands and sandbars in Brevard County, Florida is prohibited.

- 5-7. These provisions shall remain in effect until April 30, 2020 or until expiration of Executive Order 20-91, as it may be extended by the Governor.

- 6-8. The penalty provisions of Section 252.50, Florida Statutes shall apply to any and all violations of this order.

252.50 Penalties.—Any person violating any provision of ss. 252.31-252.90 or any rule or order made pursuant to ss. 252.31-252.90 is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

~~7-9.~~ Any municipality in Brevard County, Florida may opt out of this order by appropriate legislative action.

DONE, ORDERED AND ADOPTED this ~~2~~nd day of April, 2020.

ATTEST:

POLICY GROUP OF BOARD OF COUNTY
COMMISSIONERS OF BREVARD COUNTY, FLORIDA

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By:

Joy Roth, Deputy Clerk

Rita Pritchett , Chair

ATTACHMENT A

For the purposes of Brevard County's Limitation on Tourism and Lodging Order, the following are common authorized reasons for stay. Authorized Lodgers must either present a doctor or employer's note or sign the self-certification form at check-in to the lodging establishment.

A. Transitory military personnel or members of the National Guard

B. First Responder, Law Enforcement, or Health Care Workers,

C. Hotel employees, service providers, and contractors

D. Construction workers actively engaged in projects in Brevard County

E. State or Federal Employees and others working or engaged in formal business in Brevard County, Florida, or otherwise required by their employer to be in Brevard County, Florida

F. Persons sheltering in place or in Brevard County, Florida on April 1, 2020 pursuant to Executive Order 20-91 or living in Brevard County on April 1, 2020, who require accommodations due to domestic violence, or are placed in a hotel by a governmental agency or non-profit agency due to the victimization of crime or abuse.

G. Persons sheltering in place or living in Brevard County, Florida on April 1, 2020 pursuant to Executive Order 20-91 for whom staying in a hotel is medically necessary, to include persons caring for a loved one.

H. Persons sheltering in place or living in Brevard County, Florida on April 1, 2020 pursuant to Executive Order 20-91 who must vacate their Brevard County homes due to fire, natural disaster or remodeling of a Brevard County residence under construction as of April 1, 2020.

I. Persons sheltering in place or living in Brevard County, Florida on April 1, 2020 pursuant to Executive Order 20-91 who need to continue sheltering in Brevard County, Florida.

J. Persons who are authorized medical or health care providers requiring sheltering in place or living in Brevard County, Florida on April 1, 2020 pursuant to Executive Order 20-91, to provide bonafide health or medical care assistance to the citizens of Brevard County.

ATTACHMENT B
COVID-19 BREVARD COUNTY LIMITATION ON TRAVEL

Welcome to [insert name of Hotel]! Please be advised you are staying with us during a period of time when there the Governor of the State of Florida has issued a Safer at Home Executive Order 20-91, effective through April 30, 2020 and Brevard County has issued a Limitation on Tourism and Lodging Order, effective through April 30, 2020. Please note that Brevard County's order will be extended automatically if the Governor extends Executive Order 20-91.

FILLING OUT THE FORM BELOW IS MANDATORY UNDER THE BREVARD COUNTY ORDER, UNLESS A DOCTOR'S NOTE OR EMPLOYER'S NOTE IS PROVIDED.

<u>Each arriving traveler or responsible family member must provide the following information:</u>			
<u>One written declaration per family is required.</u>			
<u>The term "family" is defined as "members of a family residing in the same household who are related by blood, marriage, domestic relationship or adoption."</u>			
<u>Guest Name:</u> <u>(First/Middle/Last)</u>			
<u>Birth Date:</u> <u>(Month/Day/Year)</u>			
<u>Cellular Telephone</u> <u>Number:</u>		<u>E-mail Address:</u>	
<u>Residential</u> <u>Address:</u>			
<u>Residential</u> <u>Address (Line 2):</u>			
<u>City/State/Zip:</u>			

<u>License Plate:</u>		<u>Driver License:</u>	
<u>Length of Stay:</u>			

<u>Purpose of the trip (Select One):</u>	<u>Medical</u>	<u>Business</u>	<u>Personal</u>
<u>Is your travel related to providing emergency or health service?</u>	<input type="checkbox"/> <u>YES</u> <input type="checkbox"/> <u>NO</u>		
<u>Description of Trip:</u>			

<u>List of all family members traveling with you (name and date of birth)</u>			
<u>Name:</u> <u>(First/Middle/Last)</u>			
<u>Birth Date:</u> <u>(Month/Day/Year)</u>			
<u>Name:</u> <u>(First/Middle/Last)</u>			
<u>Birth Date:</u> <u>(Month/Day/Year)</u>			
<u>Name:</u> <u>(First/Middle/Last)</u>			
<u>Birth Date:</u> <u>(Month/Day/Year)</u>			
<u>Name:</u> <u>(First/Middle/Last)</u>			
<u>Birth Date:</u> <u>(Month/Day/Year)</u>			

By signing below, I attest, that I have read Brevard County's Limitation on Tourism and Lodging Order, as amended, and that that the room/site I am renting is solely for a purpose consistent with the guidelines issued by that Order, the Florida Health Department and Executive Order 20-91, and not for the purpose of engaging in leisure tourism. I agree to depart immediately when I no longer meet the purposes authorized in the regulations noted above. I also give full permission for [insert name of hotel] to give a copy of this form to any Law Enforcement Agency requesting it.

I declare that I have read this document and to the best of my knowledge and belief, the facts stated above are true and correct. I understand that a violation of Brevard County's Limitation on Tourism and Lodging Order is a second-degree misdemeanor pursuant to section 252.50, Florida Statutes. This certification is executed on the date written below.

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SIGNATURE: _____ DATE: _____

Name (print): _____

**FIRST AMENDED LIMITATION ON TOURISM AND LODGING ORDER
IN ACCORDANCE WITH EXECUTIVE ORDER 20-91
(COVID-19 DOCUMENT #12)**

WHEREAS, on March 14, 2020, a State of Local Emergency was declared by Brevard County (Covid-19 Document #1); and

WHEREAS, on March 16, 2020 the First Amendment to the State of Local Emergency Proclamation was issued (COVID-19 Document #2); and

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WHEREAS, the COVID-19 virus poses a health threat to Brevard County residents and current visitors, particularly the elderly and others who are medically vulnerable; and

WHEREAS, minimization of contact is necessary to avoid risk of spreading the COVID-19 virus to the residents of and current visitors to, Brevard County; and

WHEREAS, on April 1, 2020, Governor DeSantis issued Executive Order 20-91 wherein he ordered that persons who are 65 years of age or older and persons who have significant underlying medical conditions shall stay at home and take all measures to limit the risk of exposure to COVID-19; and

WHEREAS, in Executive Order 20-91, Governor DeSantis further ordered that all persons in Florida shall limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities; and

WHEREAS, hotels, motels and other commercial lodging are identified in Executive Order 20-91 as essential services; and

WHEREAS, tourism is not identified as an essential service or essential activity in Executive Order 20-91; and

WHEREAS, on March 27, 2020, Governor DeSantis issued Executive Order 20-87 wherein he significantly restricted vacation rentals throughout the State of Florida until further notice; and

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WHEREAS, high travel volumes and mass gatherings create an increased risk of escalating the spread of the COVID-19 virus; and

WHEREAS, Maria Stahl, DNP, RN, Administrator for the Florida Department of Health, opined that in her expert opinion that it would help to reduce the rate of infection to restrict travelers from coming to Brevard County; and

WHEREAS, Dr. Stahl was appointed as the Department of Health's (DOH) administrator in Brevard in November 2016 with the concurrence of Brevard County's Board of Commissioners, and Dr. Stahl has worked 37 years in public health practice including 13 years in public health practice in Buffalo, New York; and

WHEREAS, Dr. Tai F. Yang, a pediatrician in Brevard County, Florida contacted Brevard County Emergency Management to request the reduced exposure of patients to the virus by reducing the number of tourists in the County; and

WHEREAS, according to a recent study of counties above 500,000 people throughout the country, Brevard County, as well as several other central Florida counties, were among those that had the highest average travel through March 27, 2020 (<https://www.nytimes.com/interactive/2020/04/02/us/coronavirus-social-distancing.html?action=click&module=Top%20Stories&pgtype=Homepage> and <https://www.beckershospitalreview.com/rankings-and-ratings/20-us-counties-where-people-traveled-most-as-of-last-week.html>); and

WHEREAS, Brevard County seeks to reduce the travel rate and follow the limitations on movement directed by the Governor; and

WHEREAS, Brevard County intends to fully comply with Governor DeSantis' Executive Order 20-91 and take action locally to ensure that the people in Florida are staying home except for the limited purpose of obtaining or providing essential services or conducting essential activities; and

WHEREAS, per Dr. Stahl, acceleration of the number of cases of COVID-19 in the neighboring counties increases the risk that individuals in those counties may inadvertently bring the virus to Brevard County; and

WHEREAS, limiting the number of people entering Brevard County, Florida may reduce the rate of exposure to the COVID-19 virus within the County

WHEREAS, the Policy Group adopted the Order limiting Tourism on April 2, 2020, and

WHEREAS, the Board of County Commissioners requested that the Policy Group revisit the Order and provide a self-certification procedure, and

WHEREAS, since the adoption of the Limitation on Tourism and Lodging Order, various requests for changes and clarifications have been received, and

WHEREAS, the Policy Group wishes to amend the Order to include additional information and direction and provide a self-certification procedure ensuring compliance with this Order.

NOW THEREFORE, IT IS RESOLVED this — day of April, 2020, that the COVID-19 pandemic continues to pose a serious threat to the health and lives of residents and current visitors of Brevard County and that to effectuate the limitations on residents of the State of Florida, as ordered by the Governor in Executive Order 20-91, Brevard County, Florida is closing to tourists and leisure visitors to minimize the risk of spreading the COVID-19 virus.

ENFORCEMENT OF EXECUTIVE ORDER NO. 20-91 ISSUED BY GOVERNOR RON DESANTIS ON APRIL 1, 2020; TOURISM AS A NON-ESSENTIAL ACTIVITY AND CLOSURE OF BREVARD COUNTY TO TOURISTS; HOTEL AND CAMPGROUND DIRECTIVES AND ORDERS TO LIMIT NON ESSENTIAL ACTIVITY AND ALLOW SPECIFIED ESSENTIAL SERVICE SUPPORT SERVICES: In order to protect the residents of Brevard County Florida from the ongoing public health threat posed by the COVID-19 pandemic and follow the guidelines regarding the “Safer at Home” Order, Executive Order 20-91, and in recognition of the limited definition of essential activities, therein, Brevard County finds tourism and general leisure activities related to tourism are not authorized under Executive Order 20-91. Accordingly, Brevard County is closing to all tourists and leisure visitors.

NOW THEREFORE, it is

ORDERED that:

1. To effectuate the limitations on residents of the State of Florida ordered by the Governor in Executive Order 20-91, Brevard County, Florida is closed to tourists and leisure visitors.
2. To implement the closure effective 12:01 a.m. on April 3, 2020, all hotels, motels, campgrounds, short term (defined as less than 28 days) vacation rentals, and other transient rentals to include marinas, recreational vehicle parks, and timeshares shall cease renting to tourists or leisure travelers until the effective date in paragraph 7.. This ban shall not apply to rentals to transitory military personnel, first responders, healthcare workers, construction workers actively engaged in projects in Brevard County and others working or engaged in formal business in Brevard County, Florida. Domestic violence victims sheltering or living in Brevard County Florida as of April 1, 2020, are also permitted lodgers. A more extensive list of common types of authorized lodgers is provided at Attachment “A”.
3. To demonstrate compliance with this Order, lodgers shall provide a letter from the lodger’s employer indicating the stay is worked related or a doctor’s note justifying the need for the lodger to shelter in place to the rental or lodging facility upon arrival at any of the listed facilities. Alternatively, self-certification in the form provided at Attachment “B” shall be provided to the facility prior to checking in.,,,

Current occupants as of April 2, 2020, shall be permitted to remain until the end of existing reservations or short-term rental periods in effect. Individuals who hold reservations but are not yet occupying the facility may not check-in without meeting the foregoing conditions.

4. Upon lawful request by law enforcement based on a reasonable suspicion of a violation of this Order or any other violation of Florida law or Executive Order 20-87, 20-91 or 20-103, a lodging establishment shall furnish a copy of any essential purpose verification documentation as described herein and accompanying rental records and receipts of a lodger to the requesting law enforcement officer or agency.
5. Nothing herein shall be applied in a manner that is less restrictive than Executive Order 20-87, Executive Order 20-103 and Executive Order 20-91, and other applicable law.
6. All access and use of spoil islands and sandbars in Brevard County, Florida is prohibited.
7. These provisions shall remain in effect until April 30, 2020 or until expiration of Executive Order 20-91, as it may be extended by the Governor.
8. The penalty provisions of Section 252.50, Florida Statutes shall apply to any and all violations of this order.

252.50 Penalties.—Any person violating any provision of ss. 252.31-252.90 or any rule or order made pursuant to ss. 252.31-252.90 is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

9. Any municipality in Brevard County, Florida may opt out of this order by appropriate legislative action.

DONE, ORDERED AND ADOPTED this —— day of April, 2020.

ATTEST:

POLICY GROUP OF BOARD OF COUNTY
COMMISSIONERS OF BREVARD COUNTY, FLORIDA

Joy Roth, Deputy Clerk

By:

Rita Pritchett , Chair

ATTACHMENT A

For the purposes of Brevard County's Limitation on Tourism and Lodging Order, the following are common authorized reasons for stay. Authorized Lodgers must either present a doctor or employer's note or sign the self-certification form at check-in to the lodging establishment.

- A. Transitory military personnel or members of the National Guard
- B. First Responder, Law Enforcement, or Health Care Workers,
- C. Hotel employees, service providers, and contractors

D. Construction workers actively engaged in projects in Brevard County

E. State or Federal Employees and others working or engaged in formal business in Brevard County, Florida, or otherwise required by their employer to be in Brevard County, Florida

F. Persons sheltering in place or in Brevard County, Florida on April 1, 2020 pursuant to Executive Order 20-91 or living in Brevard County on April 1, 2020, who require accommodations due to domestic violence, or are placed in a hotel by a governmental agency or non-profit agency due to the victimization of crime or abuse.

G. Persons sheltering in place or living in Brevard County, Florida on April 1, 2020 pursuant to Executive Order 20-91 for whom staying in a hotel is medically necessary, to include persons caring for a loved one.

H. Persons sheltering in place or living in Brevard County, Florida on April 1, 2020 pursuant to Executive Order 20-91 who must vacate their Brevard County homes due to fire, natural disaster or remodeling of a Brevard County residence under construction as of April 1, 2020.

I. Persons sheltering in place or living in Brevard County, Florida on April 1, 2020 pursuant to Executive Order 20-91 who need to continue sheltering in Brevard County, Florida.

J. Persons who are authorized medical or health care providers requiring sheltering in place or living in Brevard County, Florida on April 1, 2020 pursuant to Executive Order 20-91, to provide bonafide health or medical care assistance to the citizens of Brevard County.

ATTACHMENT B
COVID-19 BREVARD COUNTY LIMITATION ON TRAVEL

Welcome to *[insert name of Hotel]*! Please be advised you are staying with us during a period of time when there the Governor of the State of Florida has issued a Safer at Home Executive Order 20-91, effective through April 30, 2020 and Brevard County has issued a Limitation on Tourism and Lodging Order, effective through April 30, 2020. Please note that Brevard County's order will be extended automatically if the Governor extends Executive Order 20-91.

FILLING OUT THE FORM BELOW IS MANDATORY UNDER THE BREVARD COUNTY ORDER, UNLESS A DOCTOR'S NOTE OR EMPLOYER'S NOTE IS PROVIDED.

<p>Each arriving traveler or responsible family member must provide the following information:</p> <p style="text-align: center;"><i>One written declaration per family is required.</i></p> <p style="text-align: center;"><i>The term "family" is defined as "members of a family residing in the same household who are related by blood, marriage, domestic relationship or adoption."</i></p>			
Guest Name: (First/Middle/Last)			
Birth Date: (Month/Day/Year)			
Cellular Telephone Number:		E-mail Address:	
Residential Address:			
Residential Address (Line 2):			
City/State/Zip:			

License Plate:		Driver License:	
Length of Stay:			

Purpose of the trip (Select One):	Medical	Business	Personal
Is your travel related to providing emergency or health service?	<input type="checkbox"/> YES <input type="checkbox"/> NO		
Description of Trip:			

List of all family members traveling with you (name and date of birth)			
Name: (First/Middle/Last)			
Birth Date: (Month/Day/Year)			
Name: (First/Middle/Last)			
Birth Date: (Month/Day/Year)			
Name: (First/Middle/Last)			
Birth Date: (Month/Day/Year)			
Name: (First/Middle/Last)			
Birth Date: (Month/Day/Year)			

By signing below, I attest, that I have read Brevard County's Limitation on Tourism and Lodging Order, as amended, and that that the room/site I am renting is solely for a purpose consistent with the guidelines issued by that Order, the Florida Health Department and Executive Order 20-91, and not for the purpose of engaging in leisure tourism. I agree to depart immediately when I no longer meet the purposes authorized in the regulations noted above. I also give full permission for [insert name of hotel] to give a copy of this form to any Law Enforcement Agency requesting it.

I declare that I have read this document and to the best of my knowledge and belief, the facts stated above are true and correct. I understand that a violation of Brevard County's Limitation on Tourism and Lodging Order is a second-degree misdemeanor pursuant to section 252.50, Florida Statutes. This certification is executed on the date written below.

SIGNATURE: _____ DATE: _____

Name (print): _____

From: Bentley, Eden
Sent: Wednesday, April 15, 2020 12:06 PM
To: Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5; wayne.ivey@bcso.us
Cc: Commissioner, D1; Newell, Marcia; Van, Fritz; Prasad, Billy; Woodard, Patrick; Stern, Danielle; Luebker, Vic; Moody, Laura; Abbate, Frank B; Denninghoff, John P; Liesenfelt, Jim
Subject: FW: Limitation on Tourism- revisions to Order
Attachments: LIMITATION ON TOURISM 4 14 20 at 11 40 am revised at 2 29 to remove quarantine language per LM typos 244.docx

The Board of County Commissioners asked the Policy Group to revisit the Limitation on Tourism to allow domestic violence victims to check into hotels without a note from a doctor or employer. The BCC asked the Policy Group to create a self-certification procedure for lodgers with third degree felony consequences for a violation. At the Policy Group meeting, the Sheriff asked for time to have his attorney review the proposed change and the City of Cocoa Beach's City Manager also requested time to consult with his attorney. Both attorneys responded to emails and phone calls within hours. Their professionalism, efficiency, cooperation and courtesy is greatly appreciated. The attached document has been reviewed, edited and approved by both those attorneys. We went back to the original Order and provided track changes so you can see the alterations to what is already in place in the simplest format. A short summary of what was changed from the original order follows:

1. On the face of the Order, domestic violence victims were added as authorized lodgers; however, they had to be living in Brevard County or sheltering in Brevard County as of April 1, 2020, the date of the Executive Order from the Governor requiring Floridians to shelter at home.
2. Instead of providing for self-certification and removing the employer's letter or doctor's note provisions, the Sheriff and Cocoa Beach suggested adding the self-certification procedure so that all three options are available to lodgers. That change is on the face of the Order.

3. On Attachment B of the Order there is a self-certification form similar to the state form submitted to the BCC earlier this week. It also contains a signed statement from the lodger. Although perjury and third degree felony provisions were proposed, the Sheriff and Cocoa Beach requested that the perjury sections be removed. Accordingly, the document merely refers to a second degree misdemeanor.

If the Group would prefer to use the perjury and third degree felony provisions, the following language could be inserted.

I declare, under penalty of perjury under the laws of the United States of America that I have read this document and to the best of my knowledge and belief, the facts stated above are true and correct. I understand that a violation of Brevard County's Limitation on Tourism and Lodging Order is a second-degree misdemeanor pursuant to section 252.50, Florida Statutes. Additionally, I understand that if I knowingly making a false written declaration herein, I could be found guilty of the crime of perjury by false written declaration, a felony of the third degree, punishable as provided in section 775.082, 775.083, or 775.084, Florida Statutes. This certification is executed on the date written below.

4. The list of authorized lodgers (Attachment A to the revised Order) lists the users or lodgers described specifically in the order and addresses several types of users mentioned by the community. Because the Executive Order describes hotels and essential businesses and numerous other businesses and activities as essential, there are areas which have created questions for the hoteliers. These items are highlighted because they were not discussed by the Board of County Commissioners. These users, or lodgers, are restricted to individuals who were in Brevard County on April 1, 2020 when the Executive Order was issued by the Governor. With the restriction, the Sheriff and Cocoa Beach find the listings acceptable.

Please let me know your comments. I believe Items 3 and 4 will be your areas of concern.

Eden Bentley
County Attorney
2725 Judge Fran Jamieson Way
Viera, FL 32940