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July 1, 2020

MEMORANDUM

TO: Eden Bentley, County Attorney

RE: III. Discussion for Mask Regulations for Brevard County

The Board of County Commissioners, in special session on June 30, 2020, discussed mask regulations for Brevard County; approved a Proclamation to strongly encourage recommending that businesses post at all entrances accessible to customers whether or not they require a mask to be worn, to use a form to be provided by the County, and to follow the Leon county ordinance of a business establishment, meaning a location with a roof overhead, under which any business is conducted, goods are made, or stored, or processed, or where services are rendered. The term business establishment includes transportation network companies such as Uber and Lyft vehicles operated for mass transit, taxis and limousines for hire, rental cars, and other passenger vehicles for hire. The term business establishment includes locations where non-profit, governmental and quasi-governmental entities, facilitate public interactions, and conduct business, including places of worship.

Upon the creation of the Proclamation, please provide this office with the fully-executed document for inclusion of the official minutes.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

for: Denna Scott
Kimberly Powell, Deputy Clerk

/ds

cc: Each Commissioner
County Manager



BOARD OF COUNTY COMMISSIONERS

ADMINISTRATIVE ORDER

Number: AO - 53
Cancels: New
Approved: June 29, 2020
Originator: Human Resources
Review: September 1, 2020

TITLE: COVID-19 Face Coverings

Purpose and Scope

As COVID-19 continues to be a danger to the health, safety, and welfare of the public, including County employees, as the County has experienced a sharp increase in the number of COVID-19 positive cases during June 2020, additional measures are needed to minimize the spread of COVID 19 and protect the public and County employees while conducting County business.

II. Definitions and References

Face Covering – means a uniform piece of cloth material, including but not limited to cotton, silk, or linen, that securely covers a person's nose and mouth and remains in place without the use of one's hands. It can be secured to the head with ties or straps or simply wrapped around the lower face.

Employees – For purposes of this Administrative Order, employees shall mean all employees and volunteers working for the Board of County Commissioners reporting to the County Manager or County Attorney

III. Procedure

A. Face Coverings Required

All County employees shall wear a face covering while at work consistent with current CDC guidelines. See: [cdc.gov/coronavirus/2019-ncov/](https://www.cdc.gov/coronavirus/2019-ncov/)

B. Utilization of N95/KN95 Masks

Face coverings, such as "N95/KN95" masks and other similar medical masks, while permissible, should be reserved for health care personnel and other first responders with the greatest need for such personal protective equipment.

C. Exceptions

Nothing herein shall require the wearing of face coverings by the following employees:

- 1) Employees for whom a face covering would cause impairment due to an existing health condition. This includes employees who have trouble breathing due to a chronic pre-existing condition or employees with a documented or demonstrable medical condition. It is the intent of this exemption that those employees who cannot tolerate a facial covering for a medical, sensory or any other condition which makes it difficult for them to utilize a face covering and function in their position are not required to wear one during the time period such mask wearing inhibiting condition(s) exist. Medical certification will not be required; and
- 2) Employees working in a position that does not have any face-to-face interactions with the public or other employees; and
- 3) Employees observing social distancing in accordance with current CDC guidelines; and
- 4) Public safety, Fire Rescue or other life safety personnel that have personal protective equipment requirements governed by their respective department or offices; and
- 5) Facial coverings may be removed temporarily while assisting persons who are hearing impaired or who rely on lip reading in order to communicate.

IV. Reservation of Authority

The authority to issue and/or revise this Administrative Order is reserved to the County Manager.


Frank Abbate, County Manager

6/29/20
Date

PROCLAMATION ENCOURAGING BUSINESSES TO POST MASK POLICY (COVID-19 Document #24)

WHEREAS, the Board of County Commissioners of Brevard County, Florida (hereinafter "Board"), finds that COVID-19 presents a danger to the health, safety, and welfare of the public; and

WHEREAS, COVID-19 is spread through airborne transmission from individuals sneezing, speaking, and coughing, and infectious particles can spread for a great distance; and

WHEREAS, throughout the ongoing pandemic, the Board has proactively directed the implementation of numerous efforts, including an aggressive communications campaign, to encourage persons in the County to practice social distancing, wash and sanitize their hands, clean high touch surfaces, and wear face coverings as community mitigation strategies to increase containment of COVID-19; and

WHEREAS, Governor DeSantis has issued a series of executive orders to re-open Florida, and some of the restrictions to flatten the curve and slow the spread of COVID-19 have correspondingly been relaxed; and

WHEREAS, the continued operation of businesses providing goods and services is necessary to provide essential goods and services to the public and visitors and to support the local economy; and

WHEREAS, the use of face coverings has been identified as a measure to assist in preventing individuals who may be shedding COVID-19 from spreading it to other individuals; and

WHEREAS, to reduce the spread of the disease, the Centers for Disease Control ("CDC") recommends the use of cloth face coverings in public settings where other social distancing measures are difficult to maintain, such as grocery stores and pharmacies, since many individuals with no symptoms can spread the virus, and even individuals who develop symptoms can transmit the virus to others before showing symptoms; and

WHEREAS, a special meeting of the Board was scheduled for June 30, 2020, for the purpose of addressing matters pertaining to COVID-19 and included a discussion of mask requirements. During this special meeting, Brevard County citizens expressed their opinions during over 2 hours of public comment; and

WHEREAS, the Board determined the public has a need to know the mask requirements of businesses open to the public; and

WHEREAS, if signs regarding mask policies are conspicuously posted on all entrances available to the public for businesses in Brevard County, the members of the public can determine whether or not they wish to enter; and

WHEREAS, the Board has authority to take emergency measures to protect the health and welfare of persons in Brevard County pursuant to 252.38, Florida Statutes; and

WHEREAS, the Board finds adoption of a proclamation is necessary for the preservation of the health, safety, and welfare of the community.

THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA hereby proclaims, that:

Section 1. Incorporation of Recitals as Findings.

The recitals of this proclamation are incorporated herein and constitute the evidentiary findings of the Board. The recitals are made fully a part of this proclamation as if the recitals were set out in a section hereunder.

Section 2. Definitions.

Face Covering or Mask. A "face covering" or "mask" is a material that covers the nostrils and mouth and that fits snugly against the sides of the face so there are no gaps. It can be secured to the head with ties or straps or simply wrapped around the lower face. It can be made of a variety of materials, such as cotton, silk, or linen. Coverings with materials made of multiple layers is highly encouraged. A cloth face covering may be factory-made or sewn by hand, or the cloth face covering can be improvised from household items. The CDC has posted additional information regarding how to make, wear, and wash a cloth face covering at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/aboutface-coverings.html>.

Business Establishment. A "business establishment" means a location with a roof overhead under which any business is conducted, goods are made or stored or processed or where services are rendered. The term "business establishment" includes transportation network companies, such as Ubers and Lyft, vehicles operated for mass transit, taxis, limousines for hire, rental cars, and other passenger vehicles for hire. The term "business establishment" includes locations where non-profit, governmental, and quasi-governmental entities facilitate public interactions and conduct business. [The term "business establishment" also includes places of worship.]

Section 3. Posting of Mask or Face Covering Policy by Business Establishments.

All business establishments in Brevard County are strongly encouraged to post signs to inform the public if masks or face coverings are required by individuals in the business and members of the public. Signs providing the notice regarding the mask or face covering policy should be posted at all entrances open to the public. Sample signs are attached hereto as Exhibit A and may be downloaded from the County website.

Nothing herein shall allow a person to wear a face covering to conceal the identity of the wearer in violation of Chapter 876, Florida Statutes.

Section 4. Municipalities. Municipalities in Brevard County may opt out of this proclamation.

Section 5. Penalty. There is no penalty for failure to comply with this proclamation.

Section 6. Effective Date and Term.

The proclamation shall take effect at 12:01 a.m. on July 7, 2020. This proclamation shall remain in effect until the Local State of Emergency expires.

This proclamation was adopted by vote of the Board of County Commissioners of Brevard County, Florida, on this 30th day of June, 2020.

ATTEST:



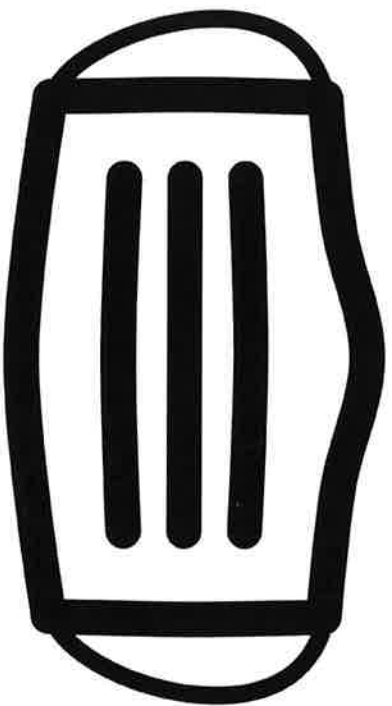
Scott Ellis, Clerk

BOARD OF COUNTY COMMISSIONERS OF BREVARD
COUNTY, FLORIDA

By: 

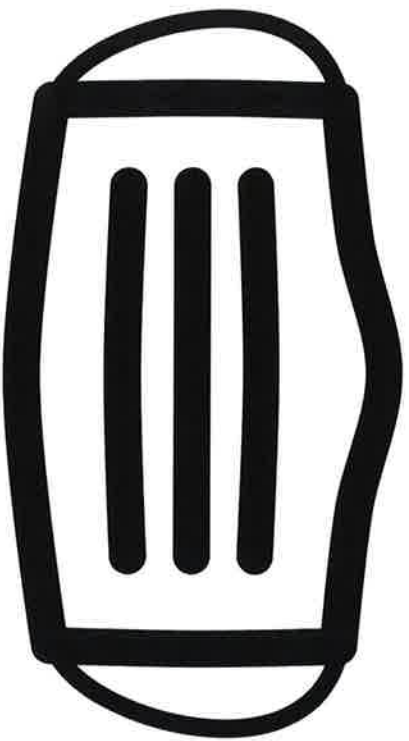
Bryan Leber, Chair

NOTICE



FACE MASK REQUIRED

NOTICE



FACE MASK
Not REQUIRED