

EMERGENCY DECLARATION
OF THE CITY OF DELRAY BEACH, FLORIDA
DATED APRIL 9, 2020
(USE OF MASKS BY RESIDENTS AND VISITORS)

WHEREAS, on March 13, 2020 a State of Emergency was declared in the City of Delray Beach relating to the Novel Coronavirus Disease 2019 ("COVID-19"); and

WHEREAS, in accordance with the provisions of Section 252.38(3)(a), Florida Statutes, the local state of emergency has been extended for additional seven (7) day periods on March 20, 2020; March 27, 2020; and April 2, 2020; and

WHEREAS, the City is aware of numerous confirmed cases of COVID-19 in the jurisdictional boundaries of the City of Delray Beach and desires to adopt regulations intended to mitigate the community spread of COVID-19; and

WHEREAS, on March 28, 2020, the City issued its "stay at home" order and established a curfew designed to protect the health and well-being of the community, to increase social distancing, and to minimize contact in an effort to limit community spread of COVID-19; and

WHEREAS, it is now necessary for the City of Delray Beach to implement additional restrictions for the general health, safety, and welfare of the community; and

WHEREAS, according to the Centers for Disease Control and Prevention ("CDC"), it is critical to maintain 6-feet social distancing to slow the spread of the virus and persons should use cloth face coverings to slow the spread of the virus and help people who may unknowingly have the virus from transmitting it to others; and

WHEREAS, Section 95.05 of the City of Delray Beach Code of Ordinances as well as Resolution 70-20 of the City of Delray Beach expressly authorize the City Manager to issue Emergency Orders made in furtherance of the declaration of state of emergency.

NOW, THEREFORE, I, George Gretsas, City Manager of the City of Delray Beach, County of Palm Beach, State of Florida, acting under the authority granted to municipalities by Florida Statutes 252.38, et seq., 501.160 and Executive Order 20-52 promulgated by Governor Ron Desantis on March 9, 2020, the authority granted me by Chapter 95 of the City of Delray Beach Code of Ordinances, and Resolution 70-20, hereby ORDER and promulgate the following Local Emergency Measures for the City of Delray Beach effective Saturday, April 11, 2020 at 12:01 a.m.

Residents and visitors of the City of Delray Beach are hereby ordered to wear masks in grocery stores, convenience stores, retail establishments, pharmacies, retail food facilities and restaurants and while performing construction activities on job sites.

Section 1. For purposes of this Order, a mask is defined as a form of covering of the nose and mouth and shall include a face mask, a homemade mask, or cloth covering, including but not limited to a scarf, bandana, handkerchief or other similar cloth covering.

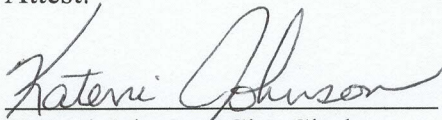
- Section 2. All persons working in grocery stores, convenience stores, retail establishments, pharmacies, retail food facilities, and restaurants shall wear a mask at all times while inside the grocery store, convenience store, retail establishment, pharmacy, retail or restaurant facility.
- Section 3. All grocery stores, convenience stores, retail establishments, pharmacies, retail food facilities, and restaurants shall require customers and visitors to wear masks while inside such grocery stores, convenience stores, retail establishments, pharmacies, retail food facilities, and restaurants.
- Section 4. All persons providing delivery services from grocery stores, convenience stores, retail establishments, pharmacies, retail food facilities, and restaurants shall be required, at all times, to wear a mask while making deliveries.
- Section 5. All persons performing construction activities shall, at all times, wear masks while on the construction site.
- Section 6. All other essential retail and commercial establishments, as defined in Executive Order 20-91 and Palm Beach County Emergency Order 2020-002a, City of Delray Beach Emergency Declaration dated March 28, 2020, and Resolution 75-20 of the City of Delray Beach, as amended, are strongly encouraged to require the use of masks and other personal protective equipment, such as gloves, subject to the availability of such items.
- Section 7. The requirements herein shall not apply to any outdoor activity permitted under any applicable City, County, or State order, except as provided herein with respect to persons providing delivery services or performing construction activities.
- Section 8. Nothing herein shall operate to restrict any employee or customer from accessing any essential retail or commercial establishment to address any emergency or other exigent circumstance, even if a covering over the nose and mouth is not readily accessible at the time of such emergency or other exigent circumstance.
- Section 9. Medical and surgical face masks, such as "N95" masks or other similar medical or surgical masks, are in short supply and should be reserved for health care personnel and other first responders with the greatest need for such personal protective equipment. Persons are encouraged to review and comply with the CDC and Florida Department of Health guidelines on personal protective equipment, including with respect to the use of a medical or surgical face mask, such as an "N95" mask or other similar medical or surgical mask. This Order should not be construed as to require the utilization of surgical masks or "N95" respirators. To the extent possible, persons should refrain from utilizing surgical masks and "N95" respirators, which are in short supply and which should be reserved for healthcare workers or other medical first responders as recommended by CDC guidance. Instead, persons are encouraged to utilize masks as defined in Section 1 of this Order.

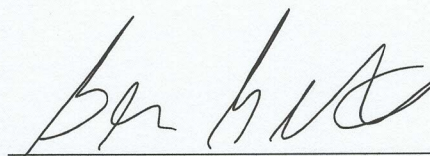
Section 10. This Order is in addition to, and supplements, the City's Emergency Orders and Resolutions. All requirements of City Emergency Orders, County Emergency Orders, and State of Florida Executive Orders shall be strictly adhered to at all times and enforceable pursuant to the City of Delray Beach Code of Ordinances and Section 252.50, Florida Statutes.

Section 11. This Emergency Order is effective as of 12:01 a.m. on Saturday, April 11, 2020 and shall remain in full force and effect until 11:59 p.m. on Friday, May 1, 2020.

ORDERED ON AND FILED WITH THE CLERK OF THE CITY OF DELRAY BEACH ON April 9, 2020.

Attest:


Katerri Johnson, City Clerk


George Gretsas, City Manager

Ratified by the City Commission on _____