

**EXECUTIVE ORDER OF THE HILLSBOROUGH COUNTY EMERGENCY POLICY
GROUP ESTABLISHING A CURFEW IN RESPONSE TO A
COUNTY WIDE THREAT FROM THE COVID-19 VIRUS**

Upon motion by Commissioner Lesley "Les" Miller, Jr., seconded by Commissioner Sandra Murman, the following Executive Order was adopted by a vote of **5 to 3; Mayor Rick Lott, Vice Mayor Andy Ross, Commissioner Kimberly Overman voting NO.**

WHEREAS, on March 1, 2020 the Governor of the State of Florida issued Executive Order Number 20-51, declaring that a public health emergency exists throughout the State of Florida as a result of the spread of the COVID-19 virus; and

WHEREAS, on March 9, 2020 the Governor of the State of Florida issued Executive Order Number 20-52, declaring that a state of emergency exists throughout the State of Florida as a result of the spread of the COVID-19 virus and its imminent threat to health and welfare of the citizens of Florida; and

WHEREAS, on March 12, 2020, the Hillsborough County Emergency Policy Group did convene and issue its Executive Order declaring a local state of emergency for all of Hillsborough County, which Order was extended by the Emergency Policy Group on March 19, 2020, March 26, 2020 and again on April 9, 2020; and

WHEREAS, on March 17, 2020 the Governor of the State of Florida issued Executive Order Number 20-68, placing restrictions on certain businesses and public gathering locations throughout the State of Florida as a result of the spread of the COVID-19 virus and its imminent threat to health and welfare of the citizens of Florida; and

WHEREAS, all three Executive Orders of the Governor remain in effect and are forecast to remain so for the foreseeable future; and

WHEREAS, the State of Florida and Hillsborough County are continuing to experience increased reports of illnesses and persons testing positive for the virus; and

WHEREAS, on March 20, 2020, Administrator Order Number 20-05 entitled Hillsborough County Administrator Order Updating COVID-19 Limitations for Establishments and Gatherings was issued, incorporating by reference the Governor's Executive Orders 20-68 and 20-71, specifies all public or private gatherings, including community, civic, public leisure, faith-based events, sporting events, concerts and any similar events that bring together more than 10 people in a single room, single space, or any venue, at the same time are prohibited. This prohibition does not include venues that provide essential goods or services such as grocery stores, hospitals, medical facilities, pharmacies, gas stations, bank/credit unions, shelters, and government agencies and their meetings; and

WHEREAS, Administrator Order Number 20-05 specifies any gathering of 10 or less people should have the capacity to provide individuals with a 6 foot distance between each person.

WHEREAS, there has been no indication that the spread of COVID-19 is slowing in the State of Florida and Hillsborough County; and

WHEREAS, Hillsborough County must continue to take emergency action to lessen the spread of COVID-19; and

WHEREAS, there is reason to believe that 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 creating a dangerous physical condition spreading from surface to person and causing increased infections to persons, and also creating property or business income loss and damage in certain circumstances; and

WHEREAS, this Executive Order is being issued because of the propensity of COVID-19 to spread from person to person causing widespread infection and loss of life, and also because COVID-19 is causing property damage and business income loss due to its proclivity to attach to surfaces for prolonged periods of time and thereby creating a dangerous physical condition; and

WHEREAS, as a governmental civil authority action, it is necessary to impose the regulations and restrictions set forth herein in response to the dangerous physical conditions that currently exists and to stop the COVID-19 virus from spreading; and

WHEREAS, Chapter 252, Florida Statutes, and Hillsborough County Ordinance 06-13 (Hillsborough County Code of Laws and Ordinances, part A, Chapter 22, Article II, Sections 22-19 Through 22-30), authorizes Hillsborough County to declare a state of local emergency; and

WHEREAS, Chapter 22, Article I, Sections 22-22, Hillsborough County Code of Ordinances and Laws (Hillsborough County Emergency Management Ordinance), and the Hillsborough County Comprehensive Emergency Management Plan delegates authority to declare a state of local emergency to the Hillsborough County Emergency Policy Group; and

WHEREAS, Section 252.38, Florida Statutes, authorizes Hillsborough County to declare a state of local emergency, and further authorizes Hillsborough County to take whatever prudent action is necessary to ensure the health, safety, and welfare of the community; and

WHEREAS, the Hillsborough County Emergency Policy Group wants to take effective and reasonable steps to protect the health of residents and the community; and

WHEREAS, the Hillsborough County Emergency Policy Group does not want to create long-term irreparable economic harm to our residents, businesses, and to the local and regional economy; and

WHEREAS, the Hillsborough County Emergency Policy Group recognizes unified action is paramount to ensure the most effective results and cause the least confusion and panic in the community; and

WHEREAS, the Hillsborough County Emergency Policy Group recognizes the categories and types of essential businesses and services that must remain open; and

WHEREAS, the Hillsborough County Emergency Policy Group wants the types of businesses that by definition cannot continue to remain open because they are unable to maintain the required

physical distancing to keep customers safe to close; and

WHEREAS, the Hillsborough County Emergency Policy Group wants a measured, reasonable and unified direction for the entire county by the EPG as the elected representatives of residents; and

WHEREAS, the Hillsborough County Emergency Policy Group wants personal responsibility by businesses and residents to observe the mandatory behaviors that have been proven to mitigate the spread of the virus; and **WHEREAS**, on March 27, 2020 the Hillsborough County Emergency Policy Group has determined that a Safer-At-Home Order applicable throughout Hillsborough County is a reasonable and prudent action to take in order to ensure the health, safety, and welfare of the residents of Hillsborough County; and

WHEREAS, a Safer-At-Home Order of the Hillsborough County Emergency Policy Group is an Order that:

- Is less restrictive than total lockdowns or shelter-in-place regulations which prohibit movement outside of the home or a particular location until further notice;
- Encourages citizens to stay at home as much as possible during the continued COVID-19 crisis and allows travel outside the home to essential activities (e.g. grocery shopping, outdoor activities, doctor's and pharmacy visits, and providing essential infrastructure and utility services);
- Allows non-essential activities, so long as social distancing and other CDC Public Health Mitigation Strategies requirements are followed; and
- Applies to all of the unincorporated and incorporated areas of Hillsborough County.

WHEREAS, on April 1, 2020 the Governor of the State of Florida issued Executive Order Number 20-91 (Essential Services and Activities During COVID-19 Emergency) and on April 3, 2020 the Governor of the State of Florida issued Executive Order 20-92 (Amending Executive Order 20-91), placing restrictions on certain businesses and public gathering locations throughout the State of Florida as a result of the spread of the COVID-19 virus and its imminent threat to health and welfare of the citizens of Florida

WHEREAS, on April 13, 2020 the Hillsborough County Emergency Policy Group has determined that a curfew throughout Hillsborough County is a reasonable and prudent action to take in order to ensure the health, safety, and welfare of the residents of Hillsborough County.

NOW THEREFORE, BE IT RESOLVED BY THE EMERGENCY POLICY GROUP OF HILLSBOROUGH COUNTY, FLORIDA, IN A MEETING ASSEMBLED THIS 13th DAY OF APRIL, 2020 THAT:

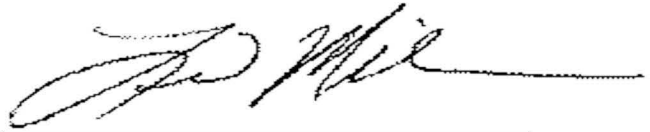
1. There is hereby established within incorporated and unincorporated areas of Hillsborough County effective as of 9:00 p.m. on April 13th 2020, a curfew between the hours of 9:00

p.m. to 5:00 a.m. 7 days a week. This Order is intended to be and shall be interpreted consistent with the Governor's Orders and the Emergency Policy Group's Safer at Home Order and its amendment.

2. This Order is an addendum to the Executive Order adopted by the Emergency Policy Group of Hillsborough County, Florida, in its special meeting of March 12, 2020, as extended on March 19, 2020, March 26, 2020, April 2, 2020 and April 9, 2020, and is incorporated into that Executive Order as it may be amended.

3. It is the intent of this Order to seek voluntary compliance with the provisions contained herein and to educate and warn of the dangers of non-compliance. However, in the event voluntary compliance is not achieved then in that event and as a last resort, a violation of this Order, pursuant to the provision of section 252.50, Florida Statutes, may be prosecuted as a second degree misdemeanor punishable as provided in section 775.082 or 775.083, F.S.

EXECUTED on this 14th day of April, 2020.



Lesley "Les" Miller, Jr.
Emergency Policy Group, Chair

I, PAT FRANK, Clerk of the Circuit Court and Ex Officio Clerk of the Board of the County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing Order has been filed with this office as an attachment to the Executive Order adopted by the Emergency Policy Group of Hillsborough County on April 13, 2020.

WITNESS my hand and official seal this 14th day of, 2020.

PAT FRANK
Clerk of Circuit Court



BY: 
Deputy Clerk

APPROVED BY THE COUNTY ATTORNEY

By: Jennie Granahan Tarr
Approved as to Form and Legal Sufficiency