

CITY OF MILTON
OFFICE OF THE MAYOR
EMERGENCY DECLARATION MANDATING FACE COVERINGS
AS A RESULT OF COVID-19

WHEREAS, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

WHEREAS, on March 9, 2020, the Governor of the State of Florida issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

WHEREAS, on March 19, 2020, the Santa Rosa County Board of County Commissioners declared a local state of emergency, and extended such declaration to maintain its effect; and

WHEREAS, the Mayor, the City Manager, the Police Chief, and the Fire Chief as an emergency management team have implemented the pandemic response plan and the emergency response plan of the City of Milton during the local state of emergency due to COVID-19 as declared on March 23, 2020; and

WHEREAS, the emergency management team has evaluated the guidance of the CDC and of the President of the United States on Opening Up America Again; and

WHEREAS, the emergency management team has reviewed guidance, proposals, and opinions from local health officials, from other local governing authorities, health officials, and from national health experts, and from the local and state Department of Health officials regarding returning to more normal activities; and

WHEREAS, COVID-19 continues to pose a significant, imminent, and dangerous threat to the health, safety, and welfare of the inhabitants of the City of Milton as well as to real and personal property; and

WHEREAS, COVID-19 is spread through airborne transmission from individuals speaking, coughing, and sneezing, and infectious droplet nuclei can spread for an as yet indeterminable but great distance; and

WHEREAS, Governor Ron 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 re-opening of the State has led to more contact between individuals and the potential for increased community spread of the disease; and

WHEREAS, despite mitigation efforts, the number of positive cases of COVID-19 has increased in the City of Milton, Santa Rosa County, and surrounding areas; and

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

WHEREAS, on June 22, 2020, after Florida reported more than 4,000 new cases of COVID-19 in a single day, State Surgeon General Scott Rivkees issued an additional public health advisory recommending people wear face coverings in any setting where social distancing is not possible, stating that in gatherings of fewer than 50 people, individuals should maintain at least six feet distance from each other and wear a face covering; and

WHEREAS, as Mayor, I am committed to the health, safety, and welfare of the citizens and employees of the City of Milton; and

WHEREAS, as Mayor, I am responsible for meeting the dangers presented to this city and its people by this emergency, and after due consideration of the facts and for the health and safety of the city and its people, I have concluded that continuing this declaration is necessary.

NOW, THEREFORE, I, HEATHER LINDSAY, as Mayor of the City of Milton, by virtue of the authority vested in me by the City Charter, Sections 18-3 and 18-35(a)(4) and (b) of the Code of Ordinances of the City of Milton, and all other applicable state and federal laws, and consistent with the limitations on governmental authority set forth by the Constitution of the United States and the constitution of the State of Florida, I direct as follows:

Section 1. Business Activity

An individual in a business must wear a face covering consisting of a material that covers the nose and mouth and fits snugly against the sides of the face, made of a material including but not limited to cotton, silk or linen, while inside any business operating within the City of Milton. All persons who own, manage, or are employed by a business located in the City of Milton must wear a face covering while on-duty and having a direct or indirect customer contact, including persons working in a kitchen or otherwise preparing or serving food or beverages to customers. Each business must post signage notifying individuals of the requirement to wear a face covering as provided by this order.

Section 2. Exceptions

This order shall not apply to:

1. A child under six years of age.
2. A person who has one or more medical conditions or disabilities that prevent wearing a face covering, including anyone who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove a face covering without assistance. A person asserting this exception for medical conditions or disabilities is not required to carry or produce documentation verifying the health condition to a business or law enforcement.
3. A person who is communicating with an individual who is hearing impaired who needs to see the mouth of the person speaking to facilitate communication.
4. An individual who is obtaining a service involving the nose or face which temporary removal of the face covering is necessary to perform the service.
5. Public safety, police, fire, and other life safety and health care personnel whose personal protective equipment requirements are governed by their respective agencies and employers.
6. A person in a federal, state, or Santa Rosa County government building.
7. A person exercising while observing at least six feet of distancing from other persons.
8. Persons while eating or drinking. It is the intent of this provision that a face covering be worn while traversing a business for ingress and egress, to use the restroom facilities, and while standing when persons are unable to maintain at least six feet of distancing.
9. Business owners, managers, and employees who are in an area of a business that is not open to customers, patrons, or the public, provided that six feet of

distance exists between persons. This exception does not apply to employees who are present in the kitchen or other food and beverage preparation areas of a business – those persons must wear face coverings.

10. An individual in a lodging establishment who is inside of the lodging unit, including but not limited to, a hotel room, motel room, vacation rental unit, timeshare unit, or similar unit.

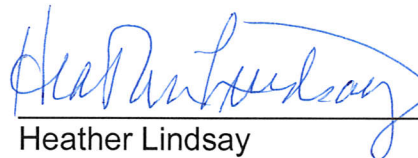
Section 3. Nothing herein shall require or allow a person to wear a face covering to conceal the identity of the wearer in violation of Chapter 876, Florida Statutes.

Section 4. This order shall expire upon the expiration of the existing City of Milton Declaration of Continuing State of Emergency, except that if such Declaration is extended, this order shall also be deemed to extend for the duration of such extension.

This order may be cancelled earlier by action of the Mayor or Milton City Council.

Section 5. This order shall be effective as of 12:01 AM, on June 28th, 2020.

In witness, whereof, I have hereunto set my hand this 26 day of June 2020.



Heather Lindsay
Mayor, City of Milton, Florida

Attestation by City Clerk or her designee:

This Declaration was approved, pursuant to Section 18-37 of the Code of Ordinances of the City of Milton, by the City Council at a Council Meeting of the Milton City Council

held on June __, 2020.

