

**CITY OF SATELLITE BEACH, FLORIDA**  
**EMERGENCY EXECUTIVE ORDER NO. 2020-01**  
**REGARDING COVID-19**

*Limiting Hours for Access to Beach*

WHEREAS, Governor DeSantis issued Executive Order No. 20-51 on March 1, 2020 directing the Florida Department of Health to issue a Public Health Emergency; and

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

WHEREAS, Governor DeSantis issued Executive Order No. 20-52 on March 9, 2020 declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

WHEREAS, President Donald J. Trump and the Centers for Disease Control and Prevention (“CDC”) issued the 15 Days to Slow the Spread guidance on March 16, 2020 advising individuals to adopt far-reaching social distancing measures, and avoiding gatherings of more than 10 people; and

WHEREAS, Governor DeSantis issued Executive Order No. 20-68 on March 17, 2020, in partial response to information reflecting individuals were not adhering to the CDC’s social distancing measures and gathering limitations; and

WHEREAS, Executive Order No. 20-68 directed parties accessing public beaches to follow the CDC guidance, and further “[supported] beach closures at the direction of local authorities”; and

WHEREAS, the City of Satellite Beach (“the City”) adopted Resolution No. 1025 (“the Resolution”) on March 16, 2020 declaring a local state of emergency for the City regarding the COVID-19 emergency; and

WHEREAS, as part of the Resolution, the City authorized the exercise of its authority and powers regarding the COVID-19 emergency to be exercised under the direction of the City Manager to the extent necessary to protect the public health, safety and welfare and the best interests of the City, and

WHEREAS, traditionally, the City receives visitors from outside the City limits and Brevard County to our beaches. The City is concerned that it will receive an influx of people from outside the City and Brevard County to its beaches as people are generally still allowed to leave their residences for recreational purposes during the COVID-19 state of emergency, and the City has concerns of crowds of visitors on the beach making compliance with CDC social distancing recommendations difficult; and

WHEREAS, in reviewing videos of visitors to the beaches both locally and elsewhere in the State, it appears that most beachgoers generally do not comply with the CDC's COVID-19 social distancing and gathering size recommendations.

NOW, THEREFORE, I, COURTNEY H. BARKER, as City Manager of the City of Satellite Beach, by virtue of above-mentioned authority, and all other applicable laws, promulgate the following Executive Order to take immediate effect.

Section 1. I direct that all public accesses to the beach within the City be closed on Friday, March 27, 2020, Saturday, March 28, 2020 and Sunday, March 29, 2020 from 11 a.m. to 4 p.m. on each of those dates.

Section 2. Severability. In the event a court of competent jurisdiction shall hold or determine that any part of this Executive Order is invalid or unconstitutional, the remainder of the Executive Order shall not be affected thereby and it will be presumed that the City Manager did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the City Manager would have promulgated the remainder of this Executive Order without said invalid and unconstitutional provision thereby causing said remainder to remain in full force and effect.

Section 3. Effective Date. This Executive Order shall become effective on March 26, 2020 at \_\_\_\_\_ a.m/p.m.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed at Satellite Beach, Florida, this 26<sup>th</sup> day of March, 2020.



ATTEST:

  
GWEN PEIRCE, CITY CLERK

  
COURTNEY H. BARKER, CITY MANAGER