

**ST. JOHNS COUNTY EMERGENCY ORDER NO. 2020-5**

**AN EMERGENCY ORDER AMENDING ST. JOHNS COUNTY EMERGENCY ORDER NO. 2020-5; THIS EMERGENCY ORDER AMENDS SECTION 4 TO PROVIDE FOR MOTOR VEHICULAR ACCESS TO THE BEACHES; PROVIDING FOR PERIODIC REVIEW OF THE EMERGENCY ORDER; AND PROVIDING AN EFFECTIVE DATE AND EXPIRATION DATE.**

WHEREAS, on March 17, 2020, ST. JOHNS COUNTY EMERGENCY PROCLAMATION NO. 2020-1 declared a state of local emergency due to the threat of the Coronavirus Disease 2019 (COVID-19) to spread among humans, which may pose a threat to public health and safety and cause a threat to the entire State of Florida, including St. Johns County; and

WHEREAS, on March 24, 2020, March 31, 2020, April 7, 2020, April 14, 2020, April 21, 2020, April 28, 2020, and May 5, 2020, pursuant to section 252.38(3)(a)(5) of the Florida Statutes, the Board of County Commissioners extended the state of local emergency for seven (7) additional days and, further, retained, ratified, and continued in time for the duration of the emergency proclamation all emergency powers authorized by the emergency proclamations; and

WHEREAS, as part of efforts to address emergency conditions caused by COVID-19 and assist affected citizens and properties, St. Johns County sought to reduce the threat of large scale exposure by eliminating the potential for residents, visitors, and others to congregate in large gatherings, including on public beaches situated within the geographic boundaries of St. Johns County, Florida; and

WHEREAS, on March 28, 2020 and April 6, 2020, St. Johns County entered ST. JOHNS COUNTY EMERGENCY ORDER NOS. 2020-1 and 2020-3, respectively, ordering that all public beaches situated within the geographical boundaries of St. Johns County, Florida shall be closed to public access; and

WHEREAS, on April 17, 2020 and May 1, 2020, St. Johns County entered ST. JOHNS COUNTY EMERGENCY ORDER NOS. 2020-4 and 2020-5, respectively, lifting certain of the prior restrictions in a measured and thoughtful way in order to protect the health, safety, and welfare of the public, including restrictions on the hours of public access to the beach and the activities permitted on the beach, but requiring beachgoers to comply with social distancing recommendations and orders and with the provisions of the Beach Code and maintaining closure of the beach to motor vehicle access; and

WHEREAS, while the COVID-19 crisis has not yet passed such that an emergency and conditions that endanger the safety of the public continue to exist under Section 3.10 of the St. Johns County Beach Code, Ordinance No. 2007-19 ("Beach Code"), St. Johns County has continued to periodically review the necessity of the restrictions on access to the beach and finds that ST. JOHNS COUNTY EMERGENCY ORDER NO. 5 is due to be amended to allow for motor vehicle access to the beach, subject to the provisions of the Beach Code and social distancing recommendations and orders; and

WHEREAS, through this Emergency Order, St. Johns County intends to continue to reduce the threat of large scale exposure from high numbers of individuals gathered for social, commercial, and non-essential purposes through restrictions that are consistent with the guidance of the Centers for Disease Control and Prevention and the Florida Department of Health regarding the spread of this rapidly transmitted disease and with its impact on limited health, medical and administrative resources; and

WHEREAS, St. Johns County deems it necessary to make such efforts in order to protect the health, safety, and welfare of the public.

NOW THEREFORE, in accordance with the emergency power vested in the County pursuant to Chapter 252, Florida Statutes, and the authority vested in the County Administrator pursuant to Section 6 of St. Johns

County Ordinance No. 2019-40 and Section 3.10 of the St. Johns County Beach Code, Ordinance No. 2007-19, it is hereby ordered:

1. The recitals set forth above are true and correct and incorporated by reference into the body of this Emergency Order and adopted as findings of fact.

2. Section 4 of ST. JOHNS COUNTY EMERGENCY ORDER NO. 2020-5 is hereby amended to read as follows:

4. The entire beach and, except as may be preempted by the federal or state government, the waters of the Atlantic Ocean situated within the geographical boundaries of St. Johns County, Florida are hereby **OPEN** for use by the public, including resuming motor vehicular access as provided in the Beach Code, subject to the following restrictions:

A. All persons on the beach and in the waters of the Atlantic Ocean shall comply with the provisions of the Beach Code and with a minimum of six (6) foot social distancing and all other social distancing recommendations and orders of the federal and state governments.

B. Special Events and groups of more than ten (10) persons are prohibited on the beach and in the waters of the Atlantic Ocean.

C. On-duty lifeguards may not be present. Use of the beach and the waters of the Atlantic Ocean, including for swimming and surfing, shall be **AT YOUR OWN RISK**.

3. Except as amended in Section 2, above, ST. JOHNS COUNTY EMERGENCY ORDER NO. 2020-5 is hereby ratified and reaffirmed and remains in full force and effect.

4. The County Administrator will periodically review the necessity of continuing the provisions of this Emergency Order, in consideration of the health, safety, and welfare of the public.

5. This Emergency Order shall be effective at 12:01 a.m. on May 11, 2020, and shall expire upon the expiration of ST. JOHNS COUNTY EMERGENCY PROCLAMATION 2020-1, including any extension thereof.

DONE and ORDERED this 8<sup>th</sup> day of May, 2020.

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA

Hunter S. Conrad  
Hunter S. Conrad  
County Administrator

ATTEST: Brandon Patty, Clerk

By: Robert L. Platt  
Deputy Clerk

