

EMERGENCY ORDER No. 21-3 OF THE OFFICIAL AUTHORITY
OF THE COUNTY OF PINELLAS
PURSUANT TO
RESOLUTION NO. 20-16, AS EXTENDED

COVID-19 Requirements for Outdoor Large-Scale Special Events

WHEREAS, in response to the emergence of a novel coronavirus and the respiratory disease it causes (“COVID-19”), the World Health Organization (WHO) has officially characterized COVID-19 as a pandemic that constitutes a Public Health Emergency of International Concern; and

WHEREAS, on March 1, 2020, Governor Ron DeSantis issued Executive Order Number 20-51, declaring that appropriate measures to control the spread of COVID-19 in the State of Florida are necessary, and accordingly the State Surgeon General and State Health Officer declared that a Public Health Emergency exists in the State of Florida; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order Number 20-52 declaring a State of Emergency for the state of Florida in furtherance of efforts to respond to and mitigate the effects of COVID-19 throughout the state, and most recently extended this State of Emergency in Executive Order Number 20-166; and

WHEREAS, since that time, the Governor has found it necessary and appropriate to issue additional Executive Orders to slow the spread of COVID-19, and has modified existing restrictions to implement a phased re-opening process, and has provided parameters for the conduct of permitted business operations, directed compliance with health and safety practices as established by the Centers for Disease Control and Prevention (CDC), and elaborated other restrictions and modifications to previous orders; and

WHEREAS, in order to fully and effectively respond to the developing threats posed by the novel coronavirus and its associated disease (COVID-19), and in coordination with ongoing emergency actions by the state and federal governments, the Pinellas County Board of County Commissioners (Board) passed Resolution 20-16 declaring a local state of emergency (LSE) in Pinellas County (Resolution), and subsequently such extensions and orders as have been deemed necessary have been issued pursuant thereto; and

WHEREAS, the LSE is intended to enable the County to effectively respond to the ongoing and evolving public health threat posed by COVID-19, which continues to pose a threat throughout Pinellas County, including by taking measures to mitigate and slow the spread of the virus; and

WHEREAS, it is the duty of Pinellas County to take proactive measures to support the public health and safety of the community; and

WHEREAS, Section 252.38(3)(a)5, Florida Statutes, provides authority for a political subdivision such as Pinellas County to exercise emergency powers; and

WHEREAS, Pursuant to §252.38(1), Florida Statutes, and Pinellas County Charter section 2.04 (k), the County has jurisdictional authority over the entire county for emergency management purposes;

WHEREAS, as of September 25, 2020, the State of Florida has lifted virtually all state restrictions on activities and does not have in place any restrictions on gatherings or large-scale events;

WHEREAS, the Florida Department of Health webpage answers the question, “Is it okay to have or go to large events?” as follows, “All persons in Florida are encouraged to avoid congregating in groups larger than 10.”; and

WHEREAS, the seven day moving percent positivity for COVID-19 testing in Pinellas County has progressively moved from 2.58% on September 17, 2020 to 7.21% on January 17, 2021;

WHEREAS, the United States Centers for Disease Control and Prevention (CDC) has stated:

The more people an individual interacts with at a gathering and the longer that interaction lasts, the higher the potential risk of becoming infected with COVID-19 and COVID-19 spreading.

The higher the level of community transmission in the area that the gathering is being held, the higher the risk of COVID-19 spreading during a gathering.

The size of an event or gathering should be determined based on state, local, territorial or tribal safety laws and regulations.

WHEREAS, a significant number of large-scale special events that occur in Pinellas County typically occur in the winter and spring;

WHEREAS, there is a significant risk to the public of heightened risk of transmission of COVID-19 at large scale special events that may be mitigated if precautions are taken;

WHEREAS, there are 24 cities within the County that collectively support the mitigation of the spread of COVID-19 by additional requirements for large events; and

WHEREAS, the requirements within this order are a minimum set of requirements and nothing herein should be construed to prohibit a city from having additional or more restrictive requirements;

NOW, THEREFORE, in accordance with Resolution No. 20-16, as extended and supplemented by other emergency actions, I now order, effective at 9:00 a.m. on January 21, 2021 that:

Large Scale Special Events, as further defined and described below, within the County are prohibited unless they fully comply with the following procedures and requirements:

Section 1. INTENT:

The requirements of this Order are supplemental requirements to the Pinellas County Face Coverings Ordinance (Ordinance 20-14) and are intended to apply to Large Scale Special Events. To the extent that there is inconsistency with Ordinance 20-14, the provisions of this Order will govern. For events held completely indoors, the provisions of Ordinance 20-14 continue to apply.

These requirements are intended to help protect the community from the spread of COVID-19 from contagions being spread at Large-Scale Special Events. While these requirements should not be interpreted as meaning that full compliance with these restrictions will completely prevent any risk of exposure to COVID-19, the requirements reflected here, based on the guidance from the CDC and other public health officials, should mitigate the spread of COVID-19 from these types of events as compared to similar types of events not required to follow these requirements. Large events create substantial risk of exacerbating transmission of this deadly disease. These standards should not be interpreted as suggesting that the County recommends hosting or attending large events during this pandemic. Large-scale special events should be postponed to reduce the spread of the virus. Organizers hosting these types of events must do so only pursuant to an approved COVID-19 Event Safety Plan. Nothing herein should be construed to prohibit any city from having additional or more restrictive COVID-19 mitigation requirements.

Outdoor events or with fewer than 1000 people in attendance at any one time are strongly encouraged to consider implementing social distancing, face covering and sanitation measures as recommended by the CDC

<https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/considerations-for-events-gatherings.html>

Section 2. DEFINITIONS:

“CDC Guidelines” means the guidance from the U.S. Centers for Disease Control and Prevention that is available at <https://www.cdc.gov/coronavirus/2019-nCoV/index.html>, as may be updated from time to time, and any guidance or subpages on that site.

“Large-Scale Special Event” or “LSSE” means an outdoor (in whole or in part) one-time or infrequently occurring opportunity for a leisure, social, cultural or other experience outside the normal range of choices or beyond everyday experience, or which is outside normal day to day programs or activities of the sponsoring or organizing body that has more than 1000 people in attendance at any one time. Events held only annually or semi-annually are not day to day programs or activities and may be an LSSE depending on the size of the event.

“Social Distancing” means staying at least 6 feet away (in all directions) from any person from outside your household or immediate family.

“Staff” means all performers, vendors, organizers, employees, volunteers, contractors, sub-contractors, and workers of any kind.

Section 3. REQUIREMENTS:

All Large-Scale Special Events may not be held without compliance with the following requirements:

- 1) **Prepare and Follow an Approved COVID-19 Event Safety Plan.**
 - a) For LSSEs within a city, the city must require a COVID-19 Event Safety Plan that conforms to the requirements of this Order and provide the city approved COVID-19 Event Safety Plan to the Pinellas County Administrator prior to, or in conjunction with the issuing of a permit or approval.
 - b) No city permit or approval for a LSSE may be issued without the approved COVID-19 Event Safety Plan.
 - c) For LSSEs within unincorporated Pinellas County, the event organizer must submit a COVID-19 Event Safety Plan and receive formal written approval from the Pinellas County Administrator prior to holding the event.
- 2) **COVID-19 Event Safety Plan minimum requirements.** At a minimum, the plan must outline the steps that will be taken to mitigate the spread of COVID-19, including, but not limited to:
 - a) **Face coverings are mandatory.** Face coverings (also known as “face masks”) must be worn by all persons in attendance at an LSSE subject only to the exceptions permitted within this Order. Persons in attendance includes, in addition to those admitted, whether for free or for consideration, to avail themselves of the event, all Staff. Describe how the requirement for mandatory face coverings will be communicated to Staff and attendees and consistently reinforced.

- b) **Social Distancing.** Social Distancing must be maintained to the greatest extent practicable at all times. Describe what steps will be taken to ensure social distancing.
- i) **Limitation on Number of Attendees.**
- (1) No more attendees than may Socially Distance within the area of the LSSE may be allowed into the event. Establish a cap on attendees to meet Social Distancing requirements and describe how this will be managed to maintain the event within this limit. (i.e. the maximum number of people allowed at the event at any one time divided by total useable area in sq. ft., that allows for social distancing). Organizers should continue to assess, based on current conditions, whether to postpone, cancel, or significantly reduce the number of attendees for LSSEs.
 - (2) Provide a site map with dimensions that allows for the ability to determine:
 - (a) Total event area square footage;
 - (b) Location and dimensions of all entrances, exits, booths, stages, activities, facilities, bathrooms, or vendors will be, including queue areas at which gatherings or lines might be expected to form.
- ii) **Ingress/Egress, Access Control, and Line Queuing.**
- (1) Describe how activities, including arrival and departure from the event, will be managed in compliance with the face covering and social distancing measures.
 - (2) Where distancing of at least 6 feet cannot be maintained between people physical barriers should be used to help reduce the risk of transmission. Show any such barriers on the site map.
 - (3) Describe strategies to address the following requirements:
 - (a) Establish separate entry and exit points. Describe how there has been considered and implemented width to allow for free movement, queue markings, and provision of handwashing and sanitizing stations.
 - (b) Minimize queuing. Encourage pre-purchase of tickets and ensure sufficient ticket sellers and food, beverage or goods vendors to prevent long lines for which adequate room for queuing in the space available may be accomplished while maintaining Social Distancing.
- c) **Screening and Sick Persons.** No person displaying COVID-19 symptoms (such as fever, cough or shortness of breath, sore throat or tiredness) should attend the event. Event organizers are required to screen Staff and attendees for COVID-19 symptoms prior to or before entering the event.

- i) Describe how you will advise Staff and attendees who are displaying COVID-19 symptoms (such as fever, cough or shortness of breath, sore throat or tiredness) not to attend the event. Will refunds for non-attendance to encourage the unwell to stay home be offered?
 - ii) Identify a specific person or office to whom Staff and attendees should report if they become unwell during the event.
 - iii) Describe what protocol will be taken in the event that anyone appears at the event displaying COVID-19 symptoms.
- d) **Signage and Communication of Requirements.**
- i) Signs must be posted, at a minimum, be at all entry points and the entrances to all bathroom facilities that reflect the requirements for mandatory face masks, social distancing, and advising those that are sick to stay home. Signs must be not smaller than 11" x 17".
 - ii) Describe or provide any additional signage to be placed throughout the event that discourages attendees from gathering in any one area of the event and encourages attendees to remain at least 6 feet from others when moving through the event.
 - iii) Describe how you will ensure communication with Staff and attendees to ensure Staff and attendees know what their responsibilities are.
 - iv) Describe how the event will promote these measures and requirements when advertising the event or ticket sales.
- e) **Sanitation and Disinfection Requirements.**
- i) Sanitation and Disinfection Plan. Describe your process and schedule to ensure that all frequently touched objects and surfaces will be cleaned and disinfected on an ongoing basis. At a minimum the sanitization and disinfection plan must provide for:
 - (1) Frequently during the event provide for cleaning and disinfection of high touch surfaces such as door handles, handrails and counters and shared facilities, including bathrooms.
 - (2) A regular cleaning routine should be in place for all other areas within the event. Refer to the CDC Guidance for Cleaning and Disinfecting https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcorona

[virus%2F2019-ncov%2Fcommunity%2Fcleaning-disinfecting-decision-tool.html](#).

- (3) Identify what Staff is responsible for this cleaning and disinfection.
 - (4) Identify what sanitation supplies will be provided, where and how frequently they will be replenished.
- ii) Describe how you will provide training on sanitation practices to Staff and ensure they have access to sufficient supplies to accomplish the sanitization and disinfection plan. At a minimum Staff must know and be trained to:
 - (1) Frequently wash hands with soap and water e.g. after going to the bathroom, after handling money, before and after eating and after touching face or hair.
 - (2) Avoid touching eyes, mouth and nose.
 - (3) Wash hands with soap and water or use a hand sanitizer at the beginning of their shift and before commencing a new activity.
 - (4) Not attend work if they are not feeling well.
 - iii) Describe how you will provide sanitization information to attendees which must at a minimum include advice to wash hands with soap and water or use hand sanitizer upon entering an event, and to frequently wash hands with soap and water or use hand sanitizer during the event.
 - iv) Describe payment options to be utilized during the event for ticketing, vendors, or activities. Promote cashless payments. However, if cash is exchanged, require those handling cash to wash hands with soap and water, or use hand sanitizer after handling money. Sanitize any pens, or hard surfaces between each use.
- f) **Enforcement of Requirements.**
- i) Develop and describe clearly defined protocols to ensure adherence to Social Distancing, face covering and sanitation measures by all Staff and attendees. What steps will be taken should someone not comply?
 - ii) Identify the person at the event who is responsible for monitoring the event and ensuring procedures and measures identified in the COVID-19 Event Safety Plan are implemented and followed during the event. This person is designated as the COVID-19 Event Safety Plan Manager. Provide contact information (phone number and/or email address) at which the COVID-19 Event Safety Plan Manager may be reached at all times within 15 minutes during the LSSE and for the two hours before the event.

- iii) Describe the staffing plan that will ensure that there will be sufficient Staff to monitor and ensure compliance with an approved COVID-19 Event Safety Plan.
- iv) Describe measures you will implement to ensure that all businesses/organizations/suppliers/vendors involved in your event are aware of and will comply with Social Distancing, face covering, and sanitation measures. At a minimum this must include a signed statement of commitment from all contractors and sub-contractors that they are governed by and will comply with your COVID-19 Event Safety Plan.

SECTION 4. APPLICABILITY:

This Order applies to all incorporated and unincorporated areas within Pinellas County. This Order serves as a minimum requirement and the municipalities within Pinellas County may establish more stringent standards within their jurisdictions to the extent permitted by law.

Any provision(s) within this Order that (i) conflict(s) with any state or federal law or constitutional provision, or (ii) conflict(s) with or are superseded by a current or subsequently-issued Executive Order of the Governor or the President of the United States solely to the extent such Executive Order (a) expressly preempts the substance of this Order or (b) imposes stricter closures than set forth herein, shall be deemed inapplicable and deemed to be severed from this Order, with the remainder of the Order remaining intact and in full force and effect.

Nothing in this Order or any Pinellas County Emergency Order applies to a training, competition, event, or game for a professional sports team in accordance with the Governor's Executive Order 20-123.

SECTION 5. EXCEPTIONS:

This Order does not apply to:

1. School events that are operated by or under the jurisdiction of the Pinellas County School Board. However, the use of facial coverings and the limitation of gatherings are encouraged. All activities are encouraged to comply with the CDC's "Considerations for Schools," which are available at <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/schools.html>

2. Public Health events such as mass immunizations or virus testing. These events should comply with all applicable CDC Guidelines.
3. Religious rituals where Social Distancing is otherwise maintained at all times except during such times as it would interfere with an integral part of the ritual

This Order does not require compliance with the requirement to wear a face covering while attending a LSSE for the following:

1. Children under the age of 2.
2. When actively eating or drinking while stationary or seated and maintaining Social Distancing.
3. Persons exercising while maintaining Social Distancing.
4. In any manner that would conflict with the Americans with Disabilities Act (ADA).

SECTION 6. ENFORCEMENT BY AUTHORITIES:

1. Any person at any gathering in violation of the limitations in this Order is individually liable for the violation and subject to all applicable civil and criminal penalties. Additionally, the owners, operators, and landlords of residential or commercial property are individually liable for any prohibited gathering that occurs on their property, regardless of whether such owners, operators, or landlords are in the residence or on site at the time of the violation. However, owners and landlords of a residential property that is under a lease with a contract term of 6 months or longer are not individually liable under this provision for gatherings taking place at the leased property.
2. In the event that there is not substantial compliance with an approved COVID-19 Event Safety Plan, the County Administrator or City Mayor or City Manager, or their designee or Law Enforcement may require the event to immediately close and cease.

Ordered:



**Barry A. Burton, County
Administrator**

APPROVED AS TO FORM

By: Donald S. Crowell
Office of the County Attorney