

RESOLUTION NO. R2020-0730

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ESTABLISHING A FINE SCHEDULE FOR CIVIL CITATIONS ISSUED FOR VIOLATIONS OF PALM BEACH COUNTY COVID-19 EMERGENCY ORDERS**

**WHEREAS**, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52 declaring a State of Emergency for the State of Florida as a result of COVID-19; and

**WHEREAS**, on March 13, 2020, pursuant to Section 252.38(3)(a)(5), Florida Statutes, Palm Beach County declared a State of Emergency due to the Coronavirus; and

**WHEREAS**, Governor Ron DeSantis has issued a number of executive orders in response to the COVID-19 pandemic with various mandates including, but not limited to, the closures of businesses, restrictions on certain business activities, limitations on recreational activities, and various other measures to protect public health and slow the spread of the virus; and

**WHEREAS**, the County Administrator has also issued various emergency orders in response to the COVID-19 pandemic including Emergency Order 2020-011, an Additional Directive on Recreational Facilities, and Emergency Order 2020-012, an Additional Directive on Mandatory Wearing of Facial Coverings; and

**WHEREAS**, Chapter 9, Article II, Section 9-37, of the Palm Beach County Code of Ordinances, authorizes civil citations to be issued in amounts not to exceed two hundred fifty dollars (\$250) for the first violation and five hundred dollars (\$500) for each additional violation of emergency order plus court costs issued pursuant to Article II, the Palm Beach County Emergency Management Ordinance; and

**WHEREAS**, personnel of the Department of Public Safety, the Emergency Management Division, Consumer Affairs Division, County and municipal code enforcement officials, the police agencies of various municipalities in the County and the County Sheriff's Office and, when specifically authorized by the Director of Public Safety, other County personnel, are authorized by the Code to enforce the ordinance as provided by law and to issue civil citations in accordance with the provisions of Section 9-37; and

**WHEREAS**, the Board of County Commissioners may approve a schedule of civil fines within the not-to-exceed limits defined in the Emergency Management Ordinance for the civil citations issued after warnings and opportunities to correct have been provided.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

**SECTION 1.** The schedule of civil fines attached hereto as **Attachment "A"** for violations of the Emergency Management Ordinance and the various County emergency orders related to COVID-19 is hereby adopted and shall be effective on the date of adoption of this resolution. In addition, statutory court costs shall be assessed as required by law.

**SECTION 2.** This resolution is effective immediately upon adoption and filing with Clerk and Comptroller of Palm Beach County.

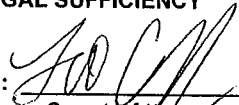
The foregoing resolution was offered by Mayor/Vice-Mayor/Commissioner Weinroth, who moved its adoption. The motion was seconded by Mayor/Vice-Mayor/Commissioner Berger, and upon being put to a vote, the vote was as follows:

Commissioner Valeche, District 1	<u>Aye</u>
Commissioner Weiss, District 2	<u>Aye</u>
Mayor Kerner, District 3	<u>Aye</u>
Vice-Mayor Weinroth, District 4	<u>Aye</u>
Commissioner Berger, District 5	<u>Aye</u>
Commissioner McKinlay, District 6	<u>Aye</u>
Commissioner Bernard, District 7	<u>Aye</u>

The Mayor thereupon declared the resolution was duly passed and adopted on the 29th day of June, 2020 and filed with the Clerk of the Board of County Commissioners on the same date.


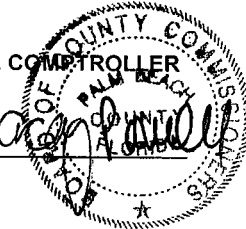
**APPROVED AS TO  
LEGAL SUFFICIENCY**

By:

  
County Attorney

**ATTEST  
CLERK & COMPTROLLER**

By:

**ATTACHMENT "A"**  
**SCHEDULE OF FINES FOR VIOLATIONS OF COVID-19 EMERGENCY ORDERS**

	<b>Individual/Person</b>	<b>Business</b>
<b>First Violation</b>	<b>\$25</b>	<b>\$250</b>
<b>Second Violation</b>	<b>\$50</b>	<b>\$350</b>
<b>Additional Violation</b>	<b>\$100</b>	<b>\$500</b>

Each incident of a continuing violation shall be deemed a separate additional violation. Court costs are also assessed by the Clerk of the Court for each violation as required by law.