



EMERGENCY / EXECUTIVE ORDER NO. 2020 – 05 FAQ

On July 14, 2020, the Collier County Commission issued an Emergency Order requiring face coverings in indoor public spaces.

1. What is the purpose of the Order?

The Board adopted the Order in response to the public health emergency caused by the COVID-19 virus, in an effort to reduce and slow the spread of the virus.

2. When did the Board adopt the Order, and when did it go into effect?

The Board adopted the Order on July 14, 2020, and it went into effect immediately.

3. When does the Order expire?

September 3, 2020 at midnight. **NEW: ORDER EXTENDED TO OCTOBER 22**

4. Who does the Order apply to?

The Order applies solely within unincorporated Collier County. Any of the municipalities within County Collier may opt-in.

5. What does the Order require?

The Order provides that, “*An owner, manager, employee, customer or patron of a business establishment must wear a face covering while in that business establishment.*”

The Order defines a “*business establishment*” as a location with a roof overhead where business is conducted, goods are made or stored or processed, or where services are rendered, or where non-profit, governmental, and quasi-governmental entities facilitate public interactions or conduct business. (The term does NOT include schools for students under age 18, or places of worship.)

The Order defines a “*lodging establishment*” as “any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests. (509.013(4)(a)1, Florida Statutes)

6. When are masks *not* required?

Per the Order, the requirement to wear a face covering does NOT apply to:

- a. Restaurant customers while dining or consuming beverages while seated at a table;
- b. A gym patron engaged in a workout or class where at least 6 feet of distancing exists with the next closest patron;
- c. Barbershop or beauty salon customers when wearing a face covering would reasonably interfere with receiving services;

- d. Business owners, managers, and employees who are in an area of a business establishment that is not open to customers or the public, provided 6 feet of distance exists between employees. However, employees who are present in the kitchen or other food and beverage preparation areas of a restaurant or food establishment must wear face coverings. Owners, managers and employees in their place of employment need not wear masks provided they are not closer than 6 feet to another person;
- e. Bar patrons while consuming beverages and/or food;
- f. A lodging establishment guest when inside of the lodging unit, including a hotel room, motel room, vacation rental unit, timeshare unit, or similar unit.

7. What about customers of a business establishment who assert that they have a disability that prevents them from wearing a mask?

The owner, manager or employee may exclude them from the establishment, but shall accommodate the disabled individual in a manner that does not fundamentally alter the operations of the business establishment nor jeopardize the health of employees and other customers, by for example providing curb service or delivery or other reasonable accommodation.

8. Who else is excluded from the requirement to wear masks?

- a. Children under the age of 9 years old;
- b. Any individual who has one or more medical conditions or disabilities that prevent wearing a face covering;
- c. Any individual obtaining a service involving the nose or face for which temporary removal of the face covering is necessary to perform the service;
- d. Any individual who works in a profession where use of a face covering will not be compatible with the duties of the profession.

9. What type of face covering is required?

The Order defines “face covering” as “a material that covers the nose and mouth. It can be secured to the head with ties or straps or simply wrapped around the lower face. It can be made of a variety of material, such as cotton, silk, or linen. A cloth face covering may be factory-made or sewn by hand or can be improvised from household items.”

10. What is the penalty for violating the Order?

Violations are punishable by a fine not to exceed \$500.

An owner, manager, or employee shall not be liable if a guest or customer violates the Order by refusing to wear a face covering, and the owner, manager or employee orders the violator to vacate the premises or face prosecution for trespass.