

FAA MEMBER ALERT

EXECUTIVE ORDER 20-123 – EFFECTIVE MAY 18, 2020

The Florida Attractions Association has been working with Governor Ron DeSantis' office both to seek guidance since the first Emergency Order related to the COVID19 pandemic was released as well as to advocate for guidance to FAA members as Florida heads into Phase 1 of the *Safe. Smart. Step-by-Step. Plan for Florida's Recovery.*

On May 5, 2020, the FAA submitted a letter to the Governor outlining the differences and wide range of types of "attractions" around the state and included the FAA's Guidelines for Re-Opening as a best practices document. This information has been received by the Governor's staff and the FAA is encouraging all members to refer to those guidelines as they develop their plans for reopening.

On Friday, May 15, 2020, Governor DeSantis issued Executive Order 20-123 relating to "Full Phase 1" for Florida's reopening plan. While this order only mentions "Amusement Parks" in Section 3, we have been advised by the Governor's staff that this was directed at larger theme park facilities, therefore, we have asked for guidance for all other members of the Florida Attractions Association.

SUMMARY OF EXECUTIVE ORDER 20-123

Executive Order 20-123 extends and modifies Executive Order 20-112 (as modified by Executive Order 20-120). The order brings all Florida counties into Full Phase 1 of the state recovery plan and, in addition to social distancing requirements, allows restaurants and food service establishments to move up to functioning at 50% capacity, excluding employees; in-store retail establishments to operate at 50% of capacity; museums and libraries to open at 50% of capacity; opening of gyms and fitness centers at 50% of capacity; allowing amusement parks to submit a reopening plan – with support from their county – to the state; and allowing counties to seek approval from DBPR to operate vacation rentals.

Based on several discussions with members of the Governor's executive staff – particularly related to the release of Executive Order 20-123 – we recommend all FAA members consider the following:

- 1) Determine if your facility fits into one of the Essential Services or Essential Activities such as "Participating in recreational activities (consistent with social distancing guidelines) such as walking, biking, hiking, fishing, hunting, running, or swimming". The list can be found at: <https://www.floridadisaster.org/globalassets/governor-essential-services.pdf>; or
- 2) Determine if your facility fits into one or multiple of the provisions addressing restaurant or retail establishments, amusement parks, museum and libraries or any other re-opening provisions in Executive Order 20-123 (amending Executive Order 12-112 and Executive Order 20-120); and then

- 3) Draft a letter and plan for re-opening that includes why you believe your facility can be open, and your attraction's reopening plan, including how you will adhere to social distancing, cleaning or any other applicable guidelines; and then
- 4) Send the letter to your local county commission and local Sheriff so that you have informed local officials. The FAA has alerted the Florida Association of Counties and the Florida Sheriffs Association that FAA members may be providing this information to their local officials (Search for county administration here: <https://www.fl-counties.com/directory-results?group=7> and county Sheriffs here: <https://www.flsheriffs.org/sheriffs/directory/>); and then
- 5) Contact your state regulatory agency (DBPR, DACS, FWC, etc.) and provide them with the same information you have provided to your local county and Sheriff. Should you receive a negative response from your state regulator, please email me and we will try to assist you in navigating those concerns.

We encourage you to utilize the [FAA's Re-Opening Guidelines](#) as the basis for your re-opening plan and strongly encourage you to document all of your actions on re-opening, communication with local and state officials and keep the information handy should a question arise. In other words, DOCUMENT, DOCUMENT, DOCUMENT the efforts you are making to ensure your facility is adhering to the appropriate guidelines to keep your staff and guests safe and healthy.

KEY LINKS FOR EXECUTIVE ORDER 2020-123

To assist members, below you will find links to all of the key information related to Governor's Executive Order # 2020-123:

Governor's Executive Order # 2020-123 – “Full Phase 1” (effective on Monday, May 18, 2020): <https://www.flgov.com/wp-content/uploads/2020/05/EO-20-123.pdf>

All of the Governor's Executive Orders: <https://www.flgov.com/2020-executive-orders/>

Guidance from Florida Department of Business and Regulation for entities regulated at the agency: <http://www.myfloridalicense.com/dbpr/emergency/>