



# Orange County (FL) Issues Non-Essential Business Closure Order

Insights

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Orange County (Florida) Mayor Jerry Demings recently issued Emergency Executive Order 2020-04, ordering residents to stay at home and non-essential businesses to close in an ongoing effort to combat the COVID-19 coronavirus pandemic. It will become effective on Thursday, March 26 at 11 p.m. and expire on April 9 at 11 p.m. The Order has two key components: (1) it orders all non-essential retail and commercial businesses to temporarily close; and (2) it orders residents to not leave their homes except for certain “necessary activities.”

## Non-Essential Businesses

Per Mayor Demings’ Order, non-essential businesses that must close include, but are not limited to, whether indoors or outdoors, locations with amusement rides, carnivals, water parks, pools, zoos, museums, arcades, fairs, children’s play centers, playgrounds, theme parks, bowling alleys, pool halls, movie and other theaters, concert and music halls, country clubs, social clubs and fraternal organizations.

## Essential Businesses

The Order lists 35 categories of “essential businesses” that may remain open and continue operations, including healthcare providers, grocery stores, pharmacies, restaurants and gas stations. Other “essential businesses” are auto-supply and auto-repair companies, laundromats, landscape and pool care businesses, assisted living facilities, office-supply providers, and many others.

The Order further provides that employees who work to maintain the continuity of any federal critical infrastructure sector as identified by the U.S. Department of Homeland Security – such as healthcare and public benefits, transportation, communications, water and wastewater, energy, nuclear reactors, etc. – are also deemed essential.

While the Order does not limit the number of persons who may be working at any location where an essential business is operating, the Order nevertheless urges employees to practice responsible social distancing (keeping six feet apart and limiting group sizes to less than 10 people).

## Government Employees

In addition to the list of Essential Businesses, the Order specifically states that it “does not affect or limit the operations of Orange County, *any municipality*, the Orange County School District, any educational institution, whether public or private, or Federal office or facility, or any public utility.”

## Stay-At-Home Order

The Order directs all residents to stay at home except for certain “necessary activities.” These “necessary activities” include, but are not limited to, (1) attending to basic needs, such as obtaining medical care, or buying groceries or other consumer products to maintain the safety and sanitation of residences or buildings; (2) outdoor physical exercise, such as walking, golfing, cycling, etc.; (3) travel related to attending to basic needs and outdoor physical activity; and/or (4) travel related to providing or receiving essential services.

## Penalties For Violations

Violations of the Order shall, upon conviction, result in a fine up to \$500, up to 60 days in jail, or both.

## Travel In And Out Of Orange County

The Order does not prohibit Orange County residents from returning home after having traveled to other outside areas. The Order also allows for travel necessary to attend to basic needs (such as visiting a health care professional, obtaining medical supplies, and buying food), travel for outdoor physical activity and exercise, travel to-or-from a transportation hub (such as an airport or bus station), and travel to-and-from work as an employee of an essential business. Orange County residents that are employed by essential businesses located outside of the County will not violate the Order by reporting for work.

## Conclusion

We will continue to monitor this rapidly developing situation and provide updates as appropriate. Make sure you are subscribed to [Fisher Phillips' alert system](#) to gather the most up-to-date information. For further information or advice, contact your Fisher Phillips attorney or any attorney in [our Orlando office](#), or any member of [our COVID-19 Taskforce](#). You can also review our [Comprehensive And Updated FAQs For Employers On The COVID-19 Coronavirus](#).

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