

Liesenfelt, Jim

From: Bentley, Eden
Sent: Wednesday, April 15, 2020 12:06 PM
To: Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5; wayne.ivey@bcso.us
Cc: Commissioner, D1; Newell, Marcia; Van, Fritz; Prasad, Billy; Woodard, Patrick; Stern, Danielle; Luebker, Vic; Moody, Laura; Abbate, Frank B; Denninghoff, John P; Liesenfelt, Jim
Subject: FW: Limitation on Tourism- revisions to Order
Attachments: LIMITATION ON TOURISM 4 14 20 at 11 40 am revised at 2 29 to remove quarantine language per LM typos 244.docx

The Board of County Commissioners asked the Policy Group to revisit the Limitation on Tourism to allow domestic violence victims to check into hotels without a note from a doctor or employer. The BCC asked the Policy Group to create a self-certification procedure for lodgers with third degree felony consequences for a violation. At the Policy Group meeting, the Sheriff asked for time to have his attorney review the proposed change and the City of Cocoa Beach's City Manager also requested time to consult with his attorney. Both attorneys responded to emails and phone calls within hours. Their professionalism, efficiency, cooperation and courtesy is greatly appreciated. The attached document has been reviewed, edited and approved by both those attorneys. We went back to the original Order and provided track changes so you can see the alterations to what is already in place in the simplest format. A short summary of what was changed from the original order follows:

1. On the face of the Order, domestic violence victims were added as authorized lodgers; however, they had to be living in Brevard County or sheltering in Brevard County as of April 1, 2020, the date of the Executive Order from the Governor requiring Floridians to shelter at home.
2. Instead of providing for self-certification and removing the employer's letter or doctor's note provisions, the Sheriff and Cocoa Beach suggested adding the self-certification procedure so that all three options are available to lodgers. That change is on the face of the Order.

3. On Attachment B of the Order there is a self-certification form similar to the state form submitted to the BCC earlier this week. It also contains a signed statement from the lodger. Although perjury and third degree felony provisions were proposed, the Sheriff and Cocoa Beach requested that the perjury sections be removed. Accordingly, the document merely refers to a second degree misdemeanor.

If the Group would prefer to use the perjury and third degree felony provisions, the following language could be inserted.

I declare, under penalty of perjury under the laws of the United States of America that I have read this document and to the best of my knowledge and belief, the facts stated above are true and correct. I understand that a violation of Brevard County's Limitation on Tourism and Lodging Order is a second-degree misdemeanor pursuant to section 252.50, Florida Statutes. Additionally, I understand that if I knowingly making a false written declaration herein, I could be found guilty of the crime of perjury by false written declaration, a felony of the third degree, punishable as provided in section 775.082, 775.083, or 775.084, Florida Statutes. This certification is executed on the date written below.

4. The list of authorized lodgers (Attachment A to the revised Order) lists the users or lodgers described specifically in the order and addresses several types of users mentioned by the community. Because the Executive Order describes hotels and essential businesses and numerous other businesses and activities as essential, there are areas which have created questions for the hoteliers. These items are highlighted because they were not discussed by the Board of County Commissioners. These users, or lodgers, are restricted to individuals who were in Brevard County on April 1, 2020 when the Executive Order was issued by the Governor. With the restriction, the Sheriff and Cocoa Beach find the listings acceptable.

Please let me know your comments. I believe Items 3 and 4 will be your areas of concern.

Eden Bentley
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