FREQUENTLY ASKED QUESTIONS

1. Are Hotels and Motels closed?
   No. Brevard County’s Limitation on Tourism and Lodging Order does not close any business, but does limit who can check-in to the establishment, in order to reduce the rate of exposure to the COVID-19 virus within the County.

2. How do hotels ensure consumers comply with the order?
   The hotel should request a letter demonstrating that the guest is in one of the exempt categories. (Limitations on Tourism and Lodging Order, dated April 2, 2020, paragraph 2.)

3. How long is the Limitation on Tourism and Lodging Order going to be in place?
   The Order has been extended to 12:01 am, May 4, 2020 because the Governor of the State of Florida extended Executive Order 20-91 to that date, which automatically extended Brevard County’s order.

4. What does the letter have to say and does an employer’s logo or doctor’s information need to be on it?
   The guest must provide a “letter from the lodger’s employer indicating the stay is work related or a doctor’s note justifying the need for the tourist to shelter in place” upon arrival at any of the listed facilities. The Order does not dictate that logos or letterhead are required however, that type of item maybe the information identifying the employer or doctor. (Limitations on Tourism and Lodging Order, dated April 2, 2020, paragraph 2.)

5. What happens if a consumer shows up without a letter?
   Individuals who hold reservations, but are not yet occupying the facility as of April 2, 2020, may not check-in without meeting the order’s requirements for a letter. (Limitations on Tourism and Lodging Order, dated April 2, 2020, paragraph 2.)
6. **Are there any exceptions to providing a letter?**

No. The Order requires all guests checking into the hotel, motel, campground, short term (less than 28 days stay) vacation rental, and other transient rentals to provide a letter from an employer or a doctor demonstrating that the guest meets one of the following criteria: transitory military personnel, first responders, healthcare workers, construction workers actively engaged in projects in Brevard County and others working or engaged in formal business in Brevard County, Florida. (Limitations on Tourism and Lodging Order, dated April 2, 2020, paragraph 2.)

7. **Coming to visit family? What if they are sick or need help?**

Pursuant to the State of Florida’s Executive Order 20-91, “essential activities” include caring for or otherwise assisting a loved one or friend. In this situation, the lodging guest should have a doctor’s note to comply with Brevard County’s Limitations on Tourism and Lodging Order, dated April 2, 2020, paragraph 2.

8. **I’m coming to go hunting or fishing, is that allowed?**

Pursuant to the State of Florida’s Executive Order 20-91, all persons in Florida shall limit their movements and personal interactions outside of their home to only those necessary to conduct “essential activities.” Essential activities do include hunting and fishing. However, Brevard County is closed to tourists and leisure visitors. In this situation, while a person may engage in hunting and fishing, a person may not travel to Brevard County to rent a hotel room unless the person meets the exemptions under Brevard County’s order. (Limitations on Tourism and Lodging Order, dated April 2, 2020, paragraph 1.)

9. **What are the penalties and who gets penalized, the hotel, consumer or both?**

The penalty provisions of section 252.50, Florida Statutes apply to this order, which makes violating the order a 2nd degree misdemeanor, punishable by a fine of up to $500 and 60 days in jail. The order applies to both the hotel and the consumer. The hotel is obligated to obtain the required documentation. The consumer is tasked to abide by the order. (Limitations on Tourism and Lodging Order, dated April 2, 2020, paragraph 2 and 6.)
10. Do hotels within municipalities have to adhere to the order?

Emergency orders issued by the policy group apply County-wide. Any municipality in Brevard County may opt out of this order by appropriate legislative action. (Limitations on Tourism and Lodging Order, dated April 2, 2020, paragraph 7.)

11. Are Sheriff's Deputies checking on hotels and doing enforcement? How frequently?

The Sheriff's office will respond to viable complaints regarding violations of Brevard County's “Limitation on Tourism and Lodging Order” dated April 2, 2020, as needed.

12. Are municipalities’ police forces doing any checking or enforcement? Which ones?

Emergency orders issued by the policy group apply County-wide. Municipal law enforcement officers are not prevented from taking steps to enforce Brevard County's “Limitation on Tourism and Lodging Order” dated April 2, 2020, if, in the officer's discretion, immediate action is warranted. However, any municipality in Brevard County may opt out of this order by appropriate legislative action. (Limitations on Tourism and Lodging Order, dated April 2, 2020, paragraph 7.)

13. Are stays over 28 days exempt?

No. The order does not require occupants in hotels as of April 2, 2020 to leave immediately. Those occupants may remain until the end of their existing reservation or short-term rental period. However, the order is applicable to all individuals with reservations who are checking in on April 2, 2020 through 12:01 am May 4, 2020, no matter the duration of their stay. Additionally, if the Governor of Florida extends Executive Order 20-91 again, Brevard County’s “Limitation on Tourism and Lodging Order” will be extended automatically until expiration of Executive Order 20-91. (Limitations on Tourism and Lodging Order, dated April 2, 2020, paragraph 2, 4 and 7.)

14. Does the Brevard County order apply to vacation rentals?

The short answer is “not at this time,” because the Governor’s order is now more restrictive than Brevard County’s order. The Governor of the State of Florida issued Executive Order 20-87, amended by Executive Order 2020-103, 2020-111 and 2020-112 (section six), which currently suspends vacation rental operations from March 27, 2020 until Executive Order 2020-112 is further amended or canceled. The order prohibits new reservations or bookings during that time, if the rental is for a period of
less than 30 days or 1 calendar month, whichever is less. Renters checking in no later than March 28, 2020 were allowed to check-in and complete the stay.

15. Who enforces the suspension of vacation rentals?

Enforcement of the Governor’s Executive Order 20-87 is through the Florida Department of Business and Professional Regulation.

16. Are timeshares closed?

The Limitation on Tourism and Lodging Order does not close timeshares to owners, but stays by non-owners (guests) are prohibited unless the guest complies with the Order, which currently requires an employer or doctor’s note showing that the stay is for a permissible reason under the Order. The owner, in this case, should not allow the guest to “check-in” to use the timeshare unless the guest can provide the required documentation.