

Florida Governor's Executive Order and our Request for Reclassification as an “Essential Service”

On March 18, 2020 days before being ordered, Harbor City Community Fitness discontinued in-person training and temporarily closed our facility to the public. We remained closed for the weeks to follow. The safety of our employees, clients, friends and families is always our primary concern, and we found it prudent to exercise caution due to the uncertainty of the situation.

We redirected all operations to a virtual platform with online training and coaching for clients. We also loaned out much of our fitness equipment for at-home use.

In the interim, our facility was deep cleaned and reorganized, while we prepared for our expected, yet potentially restricted reopening. We meticulously planned to conduct safe, in-person training sessions, equipping individual training stations that more than exceed social distancing and sanitation measures, as well as CDC guidelines.

While watching the Governor's press conference last week, we anticipated permission to reopen. It was indicated in Phase 1 of “Opening Up America Again” that federal guidelines and recommendations proposed that gyms may open, provided they adhere to standard sanitation protocols.

Despite the recommendation from the President, the Governor announced that “gyms” as well as certain other businesses, would not be granted permission to reopen in Phase 1.

We promptly sent a thorough and thoughtful [letter](#) to the Governor and many other local, state, and federal representatives, requesting to be reclassified and deemed an Essential Service. We explained, in detail, how we are in the business of illness and disease prevention and are vital for the promotion and protection of public health. We've received no immediate response from the Governor, or other leadership.

Therefore, we made the decision to disobey the unwarranted and continued forced closure. This drew attention from multiple media outlets, and we agreed to be featured on the news. As can be imagined, our story brought much conversation, which was precisely the intent.

On Friday May 1, 2020, we met with a Brevard County Sheriff's Deputy in response to our media coverage. His visit was described as an “educational” one, and he politely requested we remain closed.

After several private conversations with Melbourne Vice Mayor Paul Alfrey, who has graciously intervened on our behalf, we have decided to temporarily comply with Governor DeSantis' Executive Order, and remain closed for business.

We certainly recognize the potential for formal enforcement actions should we remain open. We understand that this may force an unpleasant position upon our great Sherriff, Wayne Ivey.

It is solely out of respect for Sheriff Ivey and his Deputies, that for the time being, we have agreed to comply with their request.

We have received assurances that this matter will be resolved quickly, allowing us to resume business very soon. Should the process prove to be more lengthy than expected, or not be resolved satisfactorily, we will have no choice but to continue operations, and reopen for business.

The government has forced a position upon us that can and will destroy everything we have worked to build since 2007. With no remedy or relief, this position is unacceptable.

We stand ready to resume the process of reopening safely and quickly. We reserve and will exercise all rights and responsibilities for petitioning our government for redress, as well as potential civil disobedience actions.

Thank You,

Michael Manning
Owner
Harbor City Community Fitness
