



Notice of Public Health Violation **CEASE AND DESIST ORDER**

Issued To: Landscape Supply of Muskegon Co. LLC
c/o Nicholas L. Daniels, Sr.
3770 Airline Road
Muskegon, Michigan 49444

Date: April 6, 2020

Time: 1643 (*via phone call*)

License #: Unknown

Pursuant to the Emergency Powers of the Governor Act of 1945, MCL 10.31, *et seq.*, Governor Whitmer issued Executive Order 2020-21 which prohibits any person or entity from operating a business or conducting operations that require workers to leave their homes or places of residence, except to the extent those workers are necessary to sustain or protect life or to conduct basic minimum operations. The Order is to be “construed broadly to prohibit in person work that is not necessary to sustain or protect life.” And pursuant to MCL 333.2235(1), Director Gordon (Michigan Department of Health and Human Services) issued a Director’s Order on April 2, 2020 authorizing local health departments to carry out and enforce the terms of said Order.

This Department has received multiple complaints about your recent business activities. Investigation of those complaints suggests that Landscape Supply of Muskegon Co. LLC is intentionally marketing, advertising, and/or conducting business in violation of the State of Michigan’s Executive Order No. 2020-21. **You are hereby ordered and directed, under penalty of law, to immediately cease and desist from such events or activities.**

Any and all landscaping, lawn care, tree service, irrigation, and related cosmetic and non-emergency maintenance and improvements to the outdoor areas of residences and businesses are not permissible under this order.

Kathy Moore, Health Officer/Public Health Director

4/6/20

Date

To help control the COVID-19 pandemic, Michigan Department of Health and Human Services (MDHHS) Director Robert Gordon issued an **Emergency Order** on April 2 **setting a civil penalty of up to \$1,000** and a process for referral to licensing agencies for violations of Executive Orders 2020-11, 2020-20 and 2020-21. Criminal penalties for violation will remain an option for prosecutors.

Law enforcement agencies across the state are authorized to investigate potential violations of Executive Orders 2020-11, 2020-20 and 2020-21 and coordinating as necessary with their local health departments to enforce this Emergency Order within their jurisdiction. Law enforcement is specifically authorized to bar access to businesses and operations that fail to comply with the procedures and restrictions outlined in the Executive Orders. County prosecutors are authorized to enforce this Emergency Order to control the epidemic and protect the public health in coordination with the appropriate local law enforcement authority and, as necessary, the local health department.

The Emergency Rule was issued under MCL 333.2253(1).