

EMERGENCY ORDER 2020-11

CLOSURE OF BUSINESSES TO THE PUBLIC

On March 13, 2020 a State of Emergency was declared in the City of Coral Springs relating to the Novel Coronavirus Disease 2019 (“COVID-19”).

COVID-19 is a global pandemic that spreads rapidly from person to person and may result in serious illness or death. The community mitigation strategy from the United States Centers for Disease Control and Prevention (“CDC”) and the Florida State Department of Health recommend the implementation of community mitigation strategies to increase containment of the virus. Such recommendations include the cancelation of large gatherings and practicing social distancing.

On March 23, 2020, Broward County issued Emergency Order 20-01. In that Order, Broward County declared certain businesses as essential and required closure of others. However, further regulations are required in the City of Coral Springs to slow the spread of COVID-19.

Pursuant to Section 252.46, *Florida Statutes* and Chapter 19 of the Code of the City of Coral Springs, the City has the power to issue emergency orders with the force of law. The City Manager has expressly been authorized to issue Emergency Orders.

IT IS HEREBY ORDERED:

Section 1. To slow the spread of COVID-19 it is necessary to close the brick-and-mortar locations of businesses to employees and customers if that business is not essential. For the avoidance of all doubt, this Emergency Order will not close businesses that are utilizing only remote work or tele-work with no employees or customers at a physical business location. Therefore, it is hereby ordered that all businesses close within the jurisdictional boundaries of the City of Coral Springs, except the following businesses that are deemed Essential Businesses below:

- (1) Healthcare providers and public health operations, including but not limited to: hospitals; doctors’ and dentists’ offices; urgent care centers, walk-in medical clinics, mental health professionals, psychiatrists, therapists, research and laboratory services, blood banks, medical cannabis facilities, medical equipment manufacturers and suppliers, reproductive health care providers, eye care centers, home healthcare services providers, medical transport services, pharmacies;

- (2) Physical and occupational therapists or therapy centers so long as such operation is conducted pursuant to the regulations provided for within Emergency Order 2020-09;
- (3) Retail stores that primarily sell one or more of the following: canned food, dry goods, fresh fruits and vegetables, baby products, pet food or supplies, liquor, fresh or frozen meats, fresh or frozen fish for consumption, fresh or frozen poultry, household cleaning supplies, personal hygiene products;
- (4) Food cultivation, including farming, livestock, and fishing;
- (5) Social services businesses that provide the following to economically disadvantaged or otherwise needy individuals: food, shelter, social services, and other necessities of life;
- (6) The news media;
- (7) Gas stations, including the interior service station;
- (8) Vehicle maintenance and repair facilities where such maintenance or repair occurs onsite and auto repair supply stores;
- (9) Banks, credit unions, similar financial institutions, and any financial service declared as Essential Critical Infrastructure Workforce for the financial services sector by the United States Department of Treasury but excluding pawn shops;
- (10) Retail stores that sell primarily hardware, gardening, and/or building material;
- (11) Building, electrical, mechanical, plumbing, air conditioning, and other tradesmen, building management and maintenance, fire and water damage restoration services, public adjusters, appliance repair, pest control, and businesses necessary for the safety, sanitation, and essential operation of residential and commercial property;
- (12) Logistics, mailing, shipping services, and post office boxes;
- (13) Laundromats, dry-cleaners and laundry service providers;
- (14) Restaurants and other places that prepare and serve food for only take-out and delivery and subject to the regulations contained in Governor's Executive Order 20-70 as may be amended or extended;
- (15) Retail stores that sell primarily office supplies;
- (16) Residential and commercial delivery services;

- (17) Assisted living facilities, nursing homes, adult day care centers, and home based residential settings for adults, seniors, children, and/or people with disabilities or mental illness subject to Emergency Order 2020-01 and all Orders issued by any State of Florida administrative agency.
- (18) Legal services provided by an attorney licensed by the Florida Bar to the extent such services cannot be provided remotely;
- (19) Accounting services provided by a certified public accountant to the extent such services cannot be provided remotely;
- (20) Residential and commercial landscaping and mowing services;
- (21) Residential and commercial pool services;
- (22) Landscape and mowing service supply retail stores;
- (23) Pool services supply retail stores;
- (24) Childcare facilities provided such facility is in compliance with Emergency Order 2020-10;
- (25) Private transportation providers provided that such transportation is to or from a business provided for within this Emergency Order or a customer's home;
- (26) Logistics providers, including warehouses, trucking, consolidators, fumigators, and handlers;
- (27) Telecommunications providers, including telecommunication provider service and repair;
- (28) Propane or natural gas providers;
- (29) Open construction sites to construction workers, engineers, architects, and similar professions at the job site irrespective of the type of construction site;
- (30) Factories, warehouses, manufacturing facilities, bottling plants, or other industrial distribution and supply chain facilities used for essential products and industries for the U.S. domestic market;
- (31) Waste management services;
- (32) Hotels, motels, temporary vacation rentals, and other commercial lodging establishments provided that only Essential Lodgers are lodged. "Essential Lodgers" are defined as: (1) healthcare professionals, (2) first responders, (3) National Guard members, (4) law enforcement, (5) state or federal government

- employee, (6) airline crew members, (7) patients, (8) patients families, (9) journalists, (10) a person providing direct services in response to COVID-19 , (11) displaced residents or visitors, (12) persons utilizing hotels as transitional living arrangements, (13) persons sheltering in hotels due to domestic violence, (14) hotel employees, service providers, and contractors, or (15) individuals who, for any reason, are temporarily unable to reside in their home due to exigent circumstances;
- (33) Veterinarians and pet boarding facilities;
 - (34) Mortuaries and funeral homes providing only embalming or cremation services;
 - (35) Stores that primarily sell firearms and ammunition excluding pawn shops;
 - (36) Local, state, or federal government contractors providing services that directly relate to a governmental response of the COVID-19 crisis;
 - (37) Licensed insurance agents or agencies provided that such administration and issuance of insurance cannot be accomplished remotely;
 - (38) New and used car dealerships may operate remotely, online, telephonically, via mail, and through other technological means, and delivery shall take place at the customer's home following all social distancing best practices.

Section 2. Any business exempted from closing to the public shall take the following social distancing measures in addition to any other measure required by law or Emergency Order:

- (1) All retail stores that are Essential Businesses shall:
 - (a) Provide disinfectant wipes for shopping carts and baskets or disinfect shopping carts and baskets after each use;
 - (b) Disinfect hourly, at a minimum all check out areas, including but not limited to conveyer belts, cash registers, and credit card areas;
 - (c) Disinfect after close or before opening all areas of the store that customers may touch or come into contact;
 - (d) Require employees to wash and/or disinfect their hands at least once per hour;
 - (e) Clean and disinfect any pen or stylus used to sign receipts after each customer or waive the need to sign a receipt;
 - (f) Use best efforts to ensure that no more than ten (10) people, including staff, are gathered in any particular area of the store;

- (g) Use best efforts to ensure that customers at check out are separated by at least six (6) feet:
 - (h) All door handles used by the general public shall be disinfected at least hourly during business hours;
- (2) All Essential Businesses that utilize a waiting room, such as medical offices, law offices, accounting offices, and auto repair, shall take the following social distancing measures in addition to any other measure required by law or Emergency Order:
 - (a) No person shall be seated within six (6) feet of another person, however, groups of people that arrive with each other as a single group may be seated next to each other;
 - (b) All seats used by a person shall be disinfected after each use;
 - (c) All door handles used by the general public shall be disinfected at least hourly during business hours;
 - (d) No person exhibiting flu or COVID-19 like symptoms shall be permitted to wait in any customer waiting area, however; nothing prohibits any medical provider from allowing a patient through a customer waiting area to a treatment room so long as no other person is within six (6) feet of the patient exhibiting flu or COVID-19 like symptoms; and
 - (e) An open air waiting area shall be made available for patients and customers.
- (3) All businesses shall:
 - (a) Prohibit any employee from entering the place of business if the employee has a fever that exceeds 99.9 degrees Fahrenheit;
 - (b) Prohibit any employee from entering the place of business if the employee is exhibiting flu like or COVID-19 like symptoms;
 - (c) If practicable, use best efforts to ensure that employees have six (6) feet between each employee and the next closest person;
 - (d) Not allow more than 25% of their approved maximum capacity into any location;
 - (e) Any person that must wait outside of a business to enter into a business shall be spaced a minimum of six (6) feet from the next closest person provided that groups that arrive as a single group may be closer than the six (6) foot distance separation requirement.

Section 3. A violation of this Order is a violation of Section 252.50, Florida Statutes. In addition, a violation of this Order is hereby deemed to be a violation of the Code of the City of Coral Springs.

Section 4. Due to the rapid spread of COVID-19 among individuals and the great harm to the public health by businesses violating this order, a violation of this Order is deemed irreparable and irreversible in nature. Without limiting any other remedy provided to the City, the City is hereby authorized to take all lawful actions against a violator of this Order. Such actions include, but are not limited to, blocking access to the business and disconnecting power or other utilities to the business.

Section 5. Without limiting any other remedy provided to the City, the Code Compliance Division shall enforce this order in accordance with Chapter 162, Florida Statutes, and Article V of the Land Development Code of the City of Coral Springs. Notwithstanding the foregoing, hearings before the Special Magistrate are hereby authorized to be via telephone or other telecommunications media provided such hearing follows fundamental due process.

Section 6. All non-essential businesses within the jurisdictional boundaries of the City of Coral Springs that close may operate remotely, online, telephonically, via mail, and through other technological means so long as no employees or customers are together at a physical location. Notwithstanding the foregoing, all non-essential businesses required to close may designate two (2) people during the time this Order is in effect access to the site to conduct Minimum Basic Operations. "Minimum Basic Operations" means the minimum activities necessary to maintain the value of inventory, preserve plant and equipment condition, ensure security, process payroll and employee benefits, and facilitate employees working remotely, provided such businesses shall practice, and ensure persons interacting with and within such businesses practice any and all social distancing guidelines advised by the CDC.

Section 7. In an effort to further social distancing and close areas where members from different households congregate and used shared equipment and seating, all pools and gyms that are amenities of a hotel, condominium or homeowners association, office, or other structure are hereby ordered closed.

Section 8. This Order does not close religious services at a place of worship. All places of worship shall have their approved maximum capacity reduced to 25%. In addition, each person must be spaced a minimum of six (6) feet from the next closest person. However, people in groups

that arrive as a single group may be closer than the six (6) foot distance separation requirement. Places of worship shall also clean and disinfect all seating, door handles, and public areas before allowing any member of the public into the place of worship. Additionally, the place of worship shall comply with all measures advised by the CDC, including limiting gathering to no more than ten (10) people and practicing social distancing.

Section 9. Any provision of this Emergency Order that is deemed unlawful by a court of competent jurisdiction shall be deemed inapplicable and severed from this Emergency Order with the remaining intact and in full force and effect.

Section 10. This Emergency Order is effective as of midnight on March 26, 2020 and shall stay in full force and effect until otherwise terminated.

**ORDERED ON AND FILED WITH THE CLERK OF THE CITY OF CORAL SPRINGS
ON MARCH 25, 2020.**

Ordered by:



City Manager Frank Babinec

Ratified by the City Commission on _____