

EMERGENCY ORDER 2020-17
EXPIRATION OF CERTAIN EMERGENCY ORDERS AND OUTDOOR SEATING
FOR RESTAURANTS

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. According to the most recent research, COVID-19 can survive in the air for up to three hours and can survive on surfaces for a significant period of time. COVID-19 attaching to surfaces contaminates the area and therefore also causes property damage. 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 25, 2020, Emergency Order 2020-11 (amended April 1, 2020, April 9, 2020, and April 29, 2020) was issued. That Order closed all businesses that were not essential businesses to slow the spread of COVID-19. Governor Ron DeSantis through Executive Orders 20-89, 20-91, and 20-92 as well as Broward County Emergency Order 20-01, as amended, closed businesses that were not deemed essential.

On May 14, 2020, Governor Ron DeSantis issued Executive Order 20-122 that authorized Broward County to enter into Phase 1 recovery from COVID-19.

On May 14, 2020, Broward County issued EO 20-10 which set regulations for Phase 1 recovery from 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. The statements made above are true and correct and are hereby incorporated into this Emergency Order.

Section 2. Expiration of Certain Emergency Orders. Emergency Orders 2020-09, 2020-10, 2020-11, 2020-12, 2020-13, and 2020-15 shall expire at the effective date and time of this Emergency Order. The City shall continue to follow and enforce all rules, regulations, and laws provided for by the Governor's Executive Orders and Broward County Emergency Orders unless otherwise amended by a subsequent Coral Springs Emergency Order.

Section 3. Outdoor Seating for Restaurants. Restaurants that have reduced maximum approved occupancy percentages for on-site consumption of food may request approval for outdoor seating on applications provided by the Community Development Division. At a minimum, the application shall include a sketch of the interior and exterior of a restaurant that includes tables, chairs, and doors. The Community Development Division shall deny any application whose outdoor seating setup would block or impede ingress, egress, or would create a safety hazard. The combined interior seating and the outside seating shall not exceed the maximum approved occupancy for the restaurant. All outdoor seating shall comply with the approved sketch. Outdoor seating may be allowed in parking areas so long as there is approval from the property owner. Property owner approval shall be in writing and submitted to the Community Development Division with the application. No fee shall be charged for submission of the application or approval. If Broward County Emergency Orders increase maximum approved occupancy percentages, then approval of outdoor seating shall be considered expired. Restaurants may then submit a new sketch for outdoor seating subject to the same requirements provided for herein. Any approval for outdoor seating provided for herein may be revoked without prior notice by the Community Development Department.

Section 4. A violation of any Governor's Executive Order or any Broward County Emergency 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 5. Due to the rapid spread of COVID-19 among individuals and the great harm to the public health and to property by contamination by violators this order, a violation of any Governor Executive Order, or any Broward County Emergency Order where such violation relates to social distancing, businesses, closures, or facial coverings 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 such Orders. Such actions include, but are not limited to, blocking access and disconnecting power or other utilities.


Section 6. Without limiting any other remedy provided to the City, the Code Compliance Division may enforce Governor Executive Orders and Broward County Emergency Orders 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 7. 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 8. This Emergency Order shall be effective at 12:01 AM on May 18, 2020.

**ORDERED ON AND FILED WITH THE CLERK OF THE CITY OF CORAL SPRINGS
ON MAY 17, 2020.**

Ordered by:



City Manager Frank Babinec

Ratified by the City Commission on _____