

CITY OF DANIA BEACH
EIGHTH DECLARATION OF STATE OF EMERGENCY ORDER
(COVID-19 STATE OF EMERGENCY – June 9, 2020)

WHEREAS, on March 12, 2020 a State of Emergency was declared in the City of Dania Beach by Mayor Lori Lewellen relating to the Novel Coronavirus Disease 2019 (“COVID-19”), and there have been a series of Emergency orders from the State of Florida, Broward County and the City of Dania Beach; and

WHEREAS, Governor Ron DeSantis on May 14, 2020, issued an order (20-122) releasing Miami-Dade County and Broward County from certain COVID-19 restrictions, and provided the Counties with the authority to issue new emergency orders; and

WHEREAS, on May 14, 2020, Broward County issued a county-wide emergency order, based upon Governor DeSantis’ order, and issued County Emergency Order No. 20-10, authorizing certain businesses to open, other facilities to be opened, and conditions for such openings, county-wide; and

WHEREAS, on May 21, 2020, Broward County issued a follow-up county-wide emergency order (Order 20-12) listing specific businesses that shall remain closed, and specific guidelines for social distancing for all businesses would open May 22, 2020; and

WHEREAS, on May 22, 2020, Broward County issued Emergency Order 20-13, which, amongst other things, opened all beaches in Broward County as of Tuesday, May 26, 2020; and

WHEREAS, this same County order provided direction for the opening of most of the remaining businesses not authorized under Broward County Emergency Order 20-12, with specific guidelines and regulations for social distancing; and

WHEREAS, on June 5, 2020, Broward County issued Emergency Order 20-15, which, amongst other things, addressed the opening of all other businesses, including but not limited to casinos, youth activities and summer camps; and

WHEREAS, Broward County is authorized to set the minimum requirements for opening of businesses and facilities in the County, and municipalities cannot operate more liberally than as authorized by the County, but can operate more stringently; and

WHEREAS, the City of Dania Beach seeks to create an emergency order to further protect its citizens, beyond Broward County’s minimum requirements; and

WHEREAS, pursuant to Sections 252.38(3) and 252.46, *Florida Statutes*, Florida Governor DeSantis’ Executive Order 20-52, Section (4)(0)(1) (dated March 9, 2020), which provides that a municipality in the State of Florida is authorized to waive the procedures and formalities otherwise required of the political subdivisions by law pertaining to the taking of whatever prudent action is necessary to ensure the public’s health, safety, and welfare, and Article 2, Section 1 of the Charter of the City of Dania Beach, the Mayor has the power to issue emergency orders with the force of law. The Mayor has expressly been authorized to issue Emergency Orders;

BY ORDER OF THE MAYOR under her emergency powers and authority:

Section 1. Effective Date. The above whereas clauses are incorporated by reference into this Emergency Order. The City's March 12, 2020, May 15, 2020, May 22, 2020, May 23, 2020, May 29, 2020, and June 8, 2020. Emergency Orders are adopted into this Order and extended for an additional seven (7) days. Additionally, this Emergency Order is effective as of 12:01 A.M. on June 11, 2020.

Section 2. City of Dania Beach Order Modifications. The City of Dania Beach shall differ from Broward County's Emergency Order 20-13, as follows:

- (a) The City of Dania Beach shall open its pier to the public on May 26, 2020, from sunrise to sunset. Social distancing shall be as is required for the beach. (See: Attachment 1 to Broward County Emergency Order 20-13).
- (b) All interior spaces within City parks (buildings and structures) shall remain closed.
- (c) City Hall shall remain closed.
- (d) **City Pools shall reopen on June 11th, and shall be open for swimming laps for the following hours: 8 AM - 11 AM; and 5:00 PM to 8: 00 PM, Monday through Friday. One person, per lane at any time. Pool area occupancy – no greater than 50 percent for deck and pool, each.**

Section 3. Adherence to Emergency Orders. All requirements of Emergency Orders from the Mayor, Broward County, and State of Florida shall be strictly adhered to at all times.

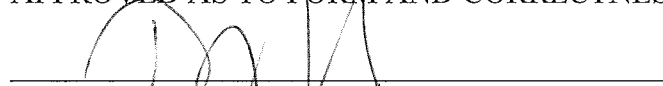
Section 4. Enforcement. This Order is in addition to, and supplements, the City's Declaration of a State of Emergency, County Emergency Orders, and State of Florida Executive Orders and shall be strictly adhered to at all times. This Order may be enforced by City law enforcement personnel through issuance of Notices to Appear or arrest, pursuant to the provisions of Chapter 252, Florida Statutes, and other applicable state, County and City laws, rules and regulations, or through the issuance of Code Violations and Notices of Violations pursuant to applicable provisions of Florida law, Chapter 162, Florida Statutes, and City Code. Moreover, this declaration is enforceable through sections 13-1 and 1-8 of the City Code, with a fine of not more than five hundred dollars (\$500.00), or by imprisonment for a period not exceeding sixty (60) days, or by both such fine and imprisonment, per each violation.



MAYOR LORI LEWELLEN

FILED WITH THE CITY CLERK, THOMAS SCHNEIDER, OF THE CITY OF DANIA BEACH, FLORIDA ON JUNE 9, 2020 AT 11:00 P.M.

APPROVED AS TO FORM AND CORRECTNESS:



THOMAS J. ANSBRO, CITY ATTORNEY