

**CITY OF DANIA BEACH**  
**SIXTH DECLARATION OF STATE OF EMERGENCY ORDER**  
**(COVID-19 STATE OF EMERGENCY – May 24, 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 that can open (as of 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**, 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 and May 22, 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 May 26, 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 City public pools shall remain closed.
- (c) All interior spaces within City parks (buildings and structures) shall remain closed.
- (d) City Hall shall remain closed.

**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.

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**MAYOR LORI LEWELLEN**

**FILED WITH THE CITY CLERK, THOMAS SCHNEIDER, OF THE CITY OF DANIA BEACH, FLORIDA ON MAY 24, 2020 AT 11:00 A.M./P.M.**

APPROVED AS TO FORM AND CORRECTNESS:

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THOMAS J. ANSBRO, CITY ATTORNEY