

CITY OF DEERFIELD BEACH, FLORIDA
AMENDED AND RESTATED EMERGENCY ORDER NO. 2020-04
AMENDED SAFER AT HOME ORDER

WHEREAS, Novel Coronavirus Disease 2019 (“COVID-19”) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, on March 1, 2020, Governor DeSantis issued Executive Order 20-51, directing the Florida Department of Health to issue a Public Health Emergency; and

WHEREAS, on March 9, 2020, Governor DeSantis issued Executive Order 20-52, declaring a State of Emergency in the State of Florida due to COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization declared the spread of COVID-19 to be a global pandemic; and

WHEREAS, on March 13, 2020, the Mayor of Deerfield Beach issued Executive Order 2020-01, declaring a State of Local Emergency; and

WHEREAS, on March 16, 2020, the White House issued guidelines recommending the avoidance of gatherings of 10 people or more; and

WHEREAS, on March 17, 2020, the City Commission adopted a Resolution extending the State of Local Emergency in the City through April 17, 2020; and

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention (“CDC”) and the Florida State Department of Health recommend implementation of community mitigation strategies to increase containment of the virus, including cancellation of large gatherings and social distancing of at least six (6) feet between persons in smaller gatherings; and

WHEREAS, on March 20, 2020, the City Manager entered Emergency Order No. 2020-01, closing all public beach areas east of the boardwalk, closing the Center for Active Aging, the Deerfield Beach Aquatics Complex and other specified City parks and facilities, including closure of the International Fishing Pier for sightseeing but permitting fishing from 6am to midnight; and

WHEREAS, Emergency Order 2020-01 also required all restaurants to cease all on premises dining, but provided for drive-thru, delivery, take-out, and exterior pick-up food services during their normally permitted hours, and ordered the closure of all bars, nightclubs, taverns, pubs, cocktail lounges, breweries, dance halls, movie theaters, halls for hire, auditoriums, bowling alleys, video arcades, and sports and entertainment facilities; and

WHEREAS, on March 23, 2020, the City Manager entered Emergency Order No. 2020-02, closing certain city facilities to the public, clarifying provisions regarding alcohol sales for off-premises consumption and closing the International Fishing Pier for sightseeing but permitting fishing under certain conditions; and

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic; and

WHEREAS, on March 26, 2020, the City Manager entered Emergency Order No. 2020-03, closing the International Fishing Pier, golf courses and pools that are amenities of hotels, motels, community associations, rental apartments and other multifamily developments; and

WHEREAS, since the outbreak of COVID-19 numerous local governments and multiple states have adopted various versions of “shelter in place” and “safer at home” orders, which are designed to protect the health and well-being of the community, to create social distancing, and to minimize contact in an effort to limit community spread of COVID-19; and

WHEREAS, on March 27, 2020, the City Manager entered Emergency Order No. 2020-04 to implement a Safer-at Home Policy in the City providing further restrictions to limit the potential community spread of COVID-19; and

WHEREAS, on March 30, 2020, Governor DeSantis issued Executive Order 20-89, which ordered that Broward, Palm Beach, Miami-Dade and Monroe County restrict public access and facilities deemed non-essential pursuant to the Guidelines of Miami-Dade County Emergency Order 07-20, as amended; and

WHEREAS, on April 1, 2020, Governor DeSantis issued Executive Orders 20-91 and 20-92, which ordered Florida residents to be Safer at Home and redefined Essential Services to include the list maintained by the US Department of Homeland Security in its Guidelines on the Essential Critical Infrastructure Workforce, v2. and any subsequent lists published by the State Coordinating Officer and, to the extent incorporated into the Governor’s Executive Orders, Miami Dade County Order 07-20, as amended; and

WHEREAS, the CDC now recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies), especially in areas of significant community-based transmission; and

WHEREAS, to further efforts to limit the potential community spread of COVID-19 and to address the additional Executive and Emergency Orders and CDC guidance since the issuance of City Emergency Order 2020-04, it is now necessary for the City of Deerfield Beach to implement this Amended and Restated Emergency Order for the general health, safety, and welfare of the community.

NOW, THEREFORE, I, David Santucci, as City Manager, pursuant to my emergency authority under Section 30-29 of the City Code, the Declaration of Emergency issued by the Governor, Section 252.38(3) and 252.46, Florida Statutes, the State of Local Emergency extended by the City Commission, and by the City Comprehensive Emergency Management Plan, declare:

Section 1: Executive Orders 20-91 and 20-92 issued by the Governor and Broward County Emergency Orders 20-03 and 20-05 are hereby adopted by the City of Deerfield Beach and incorporated herein.

Section 2: I hereby order the following:

A. Each resident is hereby ordered to stay home and within the entirety of their owned or rented property. The order to stay at home does not require residents to confine themselves to the interior of their homes. Residents may make use of all exterior portions of their homes such as patios, porches, yards, and driveways. Residents may also leave their place of residence and travel to another place in accordance with Section 2(C) “Permissible Use” below.

B. Unless a person has a Permissible Use as provided for in Section 2(C) “Permissible Use” below, no person shall travel or be on or upon any public right of way, including but not limited to, streets, canals, or sidewalks, within the boundaries of the City of Deerfield Beach.

C. Permissible Use. Notwithstanding Section 2(A) and (B) above, all residents and visitors in the City may lawfully engage in the following activities:

- (1) **Essential Businesses.** Residents and visitors may engage in travel to Essential Businesses as defined in Governor Executive Orders 20-91 and 92, and may provide 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 remote, provided that such businesses practice social distancing and the latest applicable guidelines from the CDC.

For clarity, businesses are encouraged to continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open.

- (2) **Emergency Assistance.** Residents and visitors may engage in travel and similar activities to obtain assistance from law enforcement, fire-rescue, or other emergency services.
- (3) **Personal Support Activities.** Residents and visitors may travel to and from their homes to care for or support a friend, companion, family member, pet or livestock, support groups, or a vulnerable person.
- (4) **Work in Support of Essential Businesses.** Residents and visitors in the City may continue to perform work for and in support of businesses authorized to be open to the public in accordance with Executive Orders 20-91 and 92 issued by the Governor and the Emergency Orders issued by the City.
- (5) **Outdoor Recreational Activities.** In areas not otherwise closed by a separate Emergency or Executive Order, residents may engage in outdoor activity and recreation while staying six (6) feet apart from another person or group of people, and so as long as residents are in compliance with size of public gatherings as defined in Section 2(G) “Limit on Gatherings” below.
- (6) **Religious Activities.** Residents and visitors may travel to and from places of worship. Places of worship must comply with Social Distancing Requirements as defined in Section 2(D) “Social Distancing Requirements” below, to the greatest extent feasible and the size of public gatherings as defined in Section 2(G) “Limit on Gatherings” below. Places of worship are encouraged to livestream their services in lieu of in-person gatherings.

- (7) **Government Employees and Emergency Personnel.** All first responders, emergency and mental health crisis responders, gang intervention specialists and crisis intervention workers, public health workers, emergency management personnel, emergency dispatchers, law enforcement personnel and related contractors, persons working for emergency service providers, and government employees performing work in the course and scope of their employment are categorically exempt from this Order.
- (8) **Public Transit.** Available public transit may be used for the above listed activities. People riding on public transit must comply with Social Distancing Requirements as defined in Section 2(D) "Social Distancing Requirements" below, to the greatest extent feasible.

Section D. Social Distancing Requirements. A person in a public space shall:

- (1) Practice social distancing by staying at least 6 feet away whenever practicable from another person, excluding immediate family members, caretakers or, household members;
- (2) Cover all coughs and sneezes with their elbow or tissue;
- (3) Not shake hands;
- (4) Not enter any public place if the person exhibits any flu or COVID-19 like symptoms and/or has a fever over 99.9 degrees Fahrenheit unless that person is traveling to or from a hospital, doctor's office, urgent care, walk-in clinic, or pharmacy;
- (5) If a person is exhibiting flu or COVID-19 like symptoms or has a fever over 99.9 degrees Fahrenheit and is seeking medical treatment, the person shall first contact their medical provider by phone before appearing at the medical provider's office; and
- (6) If a person is exhibiting flu or COVID-19 like symptoms or has a fever over 99.9 degrees Fahrenheit and requires a prescription or a refill thereof and the pharmacy has a drive-thru window and/or delivery service, that person shall utilize the drive-thru window and/or delivery service to receive their medication.

Section E. Essential Businesses Employee Screening. For those businesses deemed to be an Essential Business, as set forth above, these facilities shall implement employee screening and prohibit any employee from entering the premises if they affirmatively answer any of the below questions, as recommended by the Center for Disease Control and Prevention (CDC):

- (1) Have you returned from international travel (anywhere outside the United States) or been on a cruise within the last 14 days?
- (2) Have you been in contact with anyone who has returned from international travel or been on a cruise within the last 14 days?
- (3) Have you been in any gathering of 50 people or more in the last 14 days?
- (4) Have you traveled through any airport within the past 14 days?
- (5) Have you traveled to any area known to have high numbers of positive cases of COVID-19, including but not limited to California, Washington, New Jersey, New York, Connecticut, Massachusetts, or Washington D.C. within the past 14 days?
- (6) Have you experienced signs or symptoms of COVID-19, such as fever over 99.9 degrees Fahrenheit, cough or shortness of breath?

Section F. Essential Businesses Cleaning Protocols. For those businesses deemed to be an Essential Business, as set forth above, these facilities must make every effort to:

- (1) Provide disinfectant wipes or equivalent for shopping carts and baskets or disinfect shopping carts and baskets after each use.
- (2) Disinfect hourly, at a minimum all check out areas, including but not limited to, conveyor belts, cash registers, and credit card areas.
- (3) Disinfect after closing or before opening all areas of the business that customers may touch or come into contact.
- (4) Require employees or independent contractors present to wash and/or disinfect their hands at least once per hour.
- (5) Clean and disinfect any pen, stylus or screen used to sign receipts after each customer or waive the need to sign a receipt.
- (6) Ensure that no more than 10 people, including staff, are gathered in any particular area of the Essential Business.
- (7) Ensure that customers at checkout are separated by at least 6 feet.
- (8) Disinfect all door handles used by the general public at least hourly during business hours.
- (9) Essential Businesses with waiting rooms must ensure that no person shall be seated within 6 feet of another person and all seats must be disinfected after each use.
- (10) Do not allow more than 25% of their approved maximum capacity into any location.

Section G. Limit on Gatherings. All gatherings of 10 or more people shall be prohibited except for those identified in Section 2(C) "Permissible Use" above. Social Distancing Requirements must be observed.

Section H. Exceptions for Utilities and Government Personnel. Nothing in this Order shall be construed to limit or restrict movement or use of the public rights of way for use by other local governments, the state government, and federal government or their employees, and utility providers and contractors while engaged in their duties.

Section I. Face Coverings. In addition to adhering to the Social Distancing Requirements, all persons are strongly encouraged to wear a cloth facial covering consistent with the current CDC guidelines while in any public setting, including while visiting Essential Businesses, utilizing essential services, and engaging in essential activities (except while engaging in outdoor physical recreational activities). Persons choosing to use masks are encouraged to review and comply with the latest CDC and Florida Department of Health guidelines on personal protective equipment. N95 rated masks are critical supplies that should be reserved for healthcare workers and other first responders as recommended by the CDC.

All essential retail and commercial establishments are strongly encouraged to implement policies for employees to use personal protective equipment, such as face coverings and gloves, subject to the availability of such items.

Section J. Disposal of Used PPE. The improper disposal, including but not limited to illegal dumping or littering, of used personal protective equipment, cloth face coverings and similar equipment can create a biohazard and further the community spread of COVID-19. Therefore, all

persons are ordered to dispose of all used personal protective equipment, cloth face coverings and similar used equipment in proper trash receptacles. Failure to properly dispose of used personal protective equipment, including but not limited gloves, facemasks, cloth coverings and similar used equipment, in proper trash receptacles shall be a violation of this Order.

Section 4: This Order shall be strictly adhered to at all times. This Order may be enforced within the boundaries of the City of Deerfield Beach by the Broward Sheriff's Office, as the City's law enforcement agency, 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 Violation by the City's Code Compliance Department pursuant to applicable provisions of Chapter 162, Florida Statutes, and the City Code, and by any other state or local agencies with jurisdiction.

Section 5: Any violation of any rule or regulation issued and set forth herein shall be punishable as provided by the City Code, this Order and other applicable law, including but not limited to Chapter 252, Florida Statutes, which provides that any person violating any rule or order made pursuant to the emergency provisions of state law is guilty of a second degree misdemeanor, punishable by up to 60 days in jail or a \$500 fine, or both.

Section 6: This Emergency Order is in addition to, and supplements, the City's prior Emergency Orders, the Executive Orders issued by the Governor, and the Broward County Emergency Orders. To the extent of any conflict between this Amended and Restated Order and any previously issued City, County, and State Order, the more stringent provisions shall control to the extent of such conflict and to the fullest extent permitted by law.

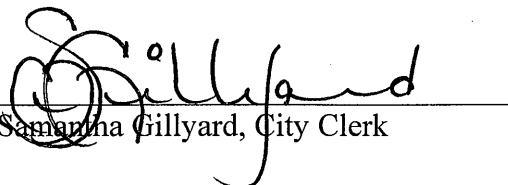
Section 7: This Order shall take effect on 12:01 a.m. on April 8, 2020 and shall remain in place as long as the State of Local Emergency is in effect, as amended and extended.

ORDERED at 5:00 pm this 7th day of April, 2020.



David Santucci, City Manager

ATTEST:



Samantha Gillyard, City Clerk