

DECLARATION OF EMERGENCY REGULATIONS

(Pursuant to COVID-19 State of Emergency)

Order # HB20-04

WHEREAS, the City of Hallandale Beach has declared a State of Emergency pursuant to Chapter 252, Florida Statutes, effective March 9, 2020, and renewed on March 16, 2020; and

WHEREAS, on March 9, 2020, Governor DeSantis issued Executive Order Number 20-52 regarding COVID-19, declaring a state of emergency in the State of Florida, and authorizing in accordance with Section 252.38, Florida Statutes, each political subdivision within the State to "waive the procedures and formalities otherwise required of the political subdivision by law pertaining to the performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;" and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared COVID-19 a pandemic; and

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

WHEREAS, no vaccine or drug is currently available to cure or combat COVID-19; and

WHEREAS, as of March 31, 2020, at least 1,219 persons in Broward County have tested positive for COVID-19, and the Governor, on March 30, 2020 has issued an order, EO 20-89 closing all non-essential businesses and, on April 1, 2020 issued, EO 20-91 mandating individuals to remain at home; and

WHEREAS, the City of Hallandale Beach is threatened by COVID-19 because of the apparent ability of the virus to spread rapidly among humans and overwhelm health system capacities; and

WHEREAS, COVID-19 thereby constitutes a clear and present threat to the health, safety, and welfare of the citizens and visitors of the City of Hallandale Beach; and

WHEREAS, the CDC has issued guidelines for "community mitigation strategies" to limit the spread of COVID-19, including recommendations for social distancing, which has proven to be an effective method for containing COVID-19; and

WHEREAS, minimization of contact is necessary to avoid risk of COVID-19 infection for the residents of the City, but the city has received consistent complaints of pools and other common areas being used as gathering places for people and that individuals are not practicing adequate social distancing; and

WHEREAS, pursuant to Sections 1.01, 3.04, and 6.05 of the City's Charter, the City of Hallandale Beach Emergency Ordinance 2020-009 and Florida Statutes Chapters 255 and 870, and the Declaration of State of Emergency existing since March 9, 2020 and subsequently renewed, during a declared State of Emergency the City Manager is authorized to take actions necessary to protect public health, welfare and safety; and

WHEREAS, the City's previous order, #HB20-03, closing non-essential businesses, has been insufficient to achieve the required levels of social distancing and has been affected by subsequent orders of Broward County and the State of Florida.

NOW, THEREFORE, I, Greg Chavarria, City Manager of the City of Hallandale Beach, Florida, pursuant to the authority vested in me by the laws of the State of Florida and the City of Hallandale Beach, do hereby declare and establish that:

Section 1. Safer at Home. Each resident is hereby ordered to stay home in accordance with State of Florida Emergency Order #20-91, issued on April 1, 2020 (attached hereto), and as may be further amended. 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, except as prohibited below for common areas. Residents may also leave their place of residence and travel to another place in accordance with EO #20-91, subject to the Curfew in Section 3.

Section 2. Essential Businesses Only. Public access is restricted to businesses and facilities deemed essential pursuant to the guidelines established in the State of Florida Emergency Order #20-89, issued on March 30, 2020, and as further modified. All non-essential retail and commercial establishments shall remain closed until further notice. For clarity, non-essential businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

Section 3. Curfew. In order to protect the public health, safety and welfare, and in an effort to mitigate the spread of the COVID-19 virus, the curfew established within the jurisdictional limits of the City on March 24, 2020 shall continue until further notice between the hours of 11:00 p.m. and 5:00 a.m. No person shall be outside within the City during the curfew hours either as a pedestrian or by means of any vehicle, unless such person engaged in essential travel. "Essential travel" is defined as: travel necessary to obtain medication or health services; if the person is providing police, fire,

or other governmental services; providing assistance expressly requested by police, fire or governmental personnel; or participating in, going to, or returning from a place of work or occupation; or participating in, going to, or returning from providing assistance to an individual with a disability or a medical need or who is vulnerable to COVID-19. No person shall occupy any outside area during the curfew hours except upon the express authorization of the City of Hallandale Beach Police Department. This Order shall not prohibit a person from walking a pet animal in the vicinity of his or her residence at which the animal is being maintained.

Section 4. Common Areas, Pools and Gyms. In an effort to limit congregation, which results in increased danger of infection, and in response to several complaints received by residents of large groups congregating in common pools and non-sanitary practices in gyms; all recreational common areas, pools, and gyms in common areas of hotels, homeowner associations, condominiums or other multifamily facility are required to be closed until further notice. Other common areas may not be utilized as gathering places and are subject to the gathering restrictions of Section 5.

Section 5. No Gatherings of more than 10 and Observance of Social Distancing Practices. All gatherings of any type, whether organized or otherwise, of greater than 10 persons are prohibited. As to all activities permitted under this Order, residents and visitors shall adhere to social distancing practices, such as maintaining a distance of at least six (6) feet away from others. Residents and visitors are strongly encouraged to limit all of their travel and congregation, except as absolutely necessary.

- (1) Outdoor Activities. In areas not otherwise closed by 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.
- (2) Religious Activities. Residents and visitors may travel to and from places of worship. Places of worship must comply with Social Distancing requirements and the size of public gatherings. Places of worship are encouraged to livestream their services in lieu of in-person gatherings.
- (3) Government Employees and Emergency Personnel. All first responders, gang 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 the requirements of this section but encouraged to maintain Social Distancing whenever possible.

Section 6. All public beaches and parks in the City of Hallandale Beach are to remain closed. The following events and activities within the City of Hallandale Beach continue to be postponed, cancelled, or suspended:

- A. All Special Magistrate, Code Enforcement, Board of Adjustment, and Nuisance Abatement Board hearings;
- B. All homeowner association and civic association meetings conducted or held on City property;
- C. All City events, including but not limited to, events approved pursuant to Chapter 15, Article V, Code of Ordinances of the City of Hallandale Beach; and
- D. All City regular recreational programs and facilities, facility rentals, and organized sports leagues.

Section 7. Sanitation requirements. Due to the required closures of non-essential businesses, the Director of Public Works is delegated the temporary authority to waive sanitation frequency requirements and associated costs as he determines appropriate on a case-by-case basis. No business shall be entitled to a waiver under this provision.

Section 8. Permissible Construction. In accordance with the State of Florida Emergency Order #20-89, issued on March 30, 2020, and as may be further refined, only the following construction or related activities are permissible:

- (1) Contractors and other tradesmen, appliance repair personnel, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and other structures.
- (2) Open construction sites, irrespective of the type of building (which the City interprets to include only those projects with an active permit that have not yet received a certificate of occupancy)
- (3) Landscape and pool care businesses, including residential landscape and pool care services
- (4) Architectural, engineering, or land surveying services.

Section 9. Enforcement. All citizens and visitors of the City of Hallandale Beach are directed to comply with these emergency regulations and necessary measures, which shall be strictly enforced, and to cooperate with public officials and public safety personnel in executing any emergency operational plans, and to obey and comply with the lawful direction of all properly identified public officers. This Order may be enforced by City 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. Any violation of any rule or regulation issued and set forth herein shall be punishable as provided in Florida Statutes Chapter 870 and/or Chapter 1, Section 1-8, Code of Ordinances, City of Hallandale Beach, and any other applicable laws.

Section 10. This order replaces all previously issued City emergency orders and becomes effective immediately upon execution.

ISSUED THIS 2nd DAY OF APRIL 2020, HALLANDALE BEACH, BROWARD COUNTY, FLORIDA.

BY:



Greg Chavarria, City Manager

ATTEST:



City Clerk

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 20-91

(Essential Services and Activities During COVID-19 Emergency)

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

WHEREAS, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

WHEREAS, on March 9, 2020, I issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

WHEREAS, on March 16, 2020, President Donald J. Trump and the Centers for Disease Control and Prevention ("CDC") issued the "15 Days to Slow the Spread" guidance advising individuals to adopt far-reaching social distancing measures, such as avoiding gatherings of more than 10 people, and in states with evidence of community spread, recommending restrictions to certain establishments conducive to mass gatherings and congregations; and

WHEREAS, on March 29, 2020, the President extended such guidance to be in effect until April 30, 2020; and

WHEREAS, on March 31, 2020, the President updated the guidance, renaming it "30 Days to Slow the Spread", and along with the White House Coronavirus Task Force urged Americans to continue to adhere to the guidelines and expand community mitigation efforts; and

WHEREAS, the majority of individuals in Florida that have tested positive for COVID-19 have been concentrated in its southeastern counties and other urban cores; and

WHEREAS, positive cases of COVID-19 have continued to rise in other states in close proximity to Florida, resulting in increased risk to counties in northern Florida; and

WHEREAS, many thousands of people fled the New York City region to Florida following New York State issuing a “shelter-in-place” order, thereby jeopardizing the health and safety of Floridians; and

WHEREAS, on March 23, 2020, I issued Executive Order 20-80, requiring all individuals that fly into Florida from states with substantial community spread to self-isolate in Florida for 14 days or the duration of their trip, whichever is shorter; and

WHEREAS, on March 27, 2020, I issued Executive Order 20-86, requiring all individuals that drive into Florida from states with substantial community spread to self-isolate in Florida for 14 days or the duration of their trip, whichever is shorter; and

WHEREAS, persistent interstate travel continues to pose a risk to the entire state of Florida; and

WHEREAS, on March 24, 2020, I issued Executive Order 20-83, directing the State Surgeon General and State Health Officer to issue a public health advisory urging the public to avoid all social or recreational gatherings of 10 or more people and urging those who can work remotely to do so; and

WHEREAS, it is necessary and appropriate to take action to ensure that the spread of COVID-19 is slowed, and that residents and visitors in Florida remain safe and secure.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution Chapter

252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

Section 1. Safer At Home

A. Senior citizens and individuals with a significant underlying medical condition (such as chronic lung disease, moderate-to-severe asthma, serious heart conditions, immunocompromised status, cancer, diabetes, severe obesity, renal failure and liver disease) shall stay at home and take all measures to limit the risk of exposure to COVID-19.

B. In concert with the efforts of President Trump and the White House Coronavirus Task Force to fight COVID-19, and based on guidance provided by Florida Surgeon General and State Health Officer, Dr. Scott Rivkees, all persons in Florida shall limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities.

Section 2. Essential Services

A. For purposes of this Order and the conduct it limits, “essential services” means and encompasses the list detailed by the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, v. 2 (March 28, 2020) (attached) and any subsequent lists published.

B. Essential services also include those businesses and activities designated by Executive Order 20-89 and its attachment which consists of a list propounded by Miami-Dade County in multiple orders.

C. Other essential services may be added under this Order with the approval of the State Coordinating Officer, in close coordination with the State Health Officer. The State Coordinating Officer shall maintain an online list of essential services, as specified in this Order along with any approved additions. The online list shall be available on the Division of

Emergency Management's website at www.floridadisaster.org and the Florida Department of Health's website at www.floridahealth.gov.

D. Nothing in this order prohibits individuals from working from home; indeed, this Order encourages individuals to work from home.

E. All businesses or organizations are encouraged to provide delivery, carry-out or curbside service outside of the business or organization, of orders placed online or via telephone, to the greatest extent practicable.

Section 3. Essential Activities

A. For purposes of this Order and the conduct it limits, "essential activities" means and encompasses the following:

- i. Attending religious services conducted in churches, synagogues and houses of worship; and
- ii. Participating in recreational activities (consistent with social distancing guidelines) such as walking, biking, hiking, fishing, hunting, running, or swimming; and
- iii. Taking care of pets; and
- iv. Caring for or otherwise assisting a loved one or friend.

B. Other essential activities may be added to this list with the approval of the State Coordinating Officer, in close coordination with the State Health Officer. The State Coordinating Officer shall maintain an online list of essential activities, as specified in this Order along with any approved additions.

C. A social gathering in a public space is not an essential activity. Local jurisdictions shall ensure that groups of people greater than ten are not permitted to congregate in any public space.

Section 4. Local Orders in Response to COVID-19

This Order shall supersede any conflicting official action or order issued by local officials in response to COVID-19 but only to the extent that such action or order allows essential services or essential activities prohibited by this Executive Order.

Section 5. Previous Executive Orders

This Executive Order does not supersede any Executive Order related to COVID-19.

Section 6. Effective Date and Expiration Date

This Order is effective 12:01 am on April 3, 2020. This Order shall expire on April 30, 2020 unless extended by subsequent order. Executive Order 20-68 (bars, restaurants) and Executive Order 20-71 (alcohol sales, restaurants) shall remain in effect through the duration of Executive Order 20-52, including any extensions.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 1st day of April, 2020



RON DESANTIS, GOVERNOR

ATTEST:



SECRETARY OF STATE

SECRETARY OF STATE
TALLAHASSEE, FLORIDA
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FILED