

# DECLARATION OF EMERGENCY REGULATIONS

(Pursuant to COVID-19 State of Emergency)

Order # HB20-07

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 April 29, 2020, at least 4,898 persons in Broward County have tested positive for COVID-19, and the Governor 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, but the CDC recommends regular exercise; 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

**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 ordered to stay home in accordance with State of Florida Emergency Order #20-91, issued on April 1, 2020, 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 Broward County Emergency Order 20-01 and subsequent orders of the Governor of the State of Florida, which shall take precedence when applicable. 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 Other Residential Recreational Amenities.**

Previously, 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 areas, the city mandated closure of recreational common areas. Multifamily housing developments, condominium developments, condominium hotels, and single-family homeowner associations (collectively "Housing Developments") will now be allowed to opt to reopen certain recreational spaces pursuant to this order subject to the following restrictions:

- (1) Pool decks, pools, and open-air common areas surrounding the pools are allowed to be open, subject to the following restrictions:
  - a. Areas are used only by current residents of the housing development;
  - b. Users must adhere to six (6) foot social distancing CDC guidelines
  - c. Use is limited to no greater than 50% capacity;
  - d. Hand sanitizer stations are provided;
  - e. Masks are worn when in transit to and from pool-side common areas;
  - f. The use of the pool deck and pool are supervised by a sufficient number of employees or other person(s) designated by the housing development during the hours in which they are used to ensure compliance with the requirements of this section; and
  - g. Furnishings. Employees or other designees of the Housing Development must sanitize the facility's pool chairs, railings, gates, tables, showers, and other equipment at the pool and pool deck on a regular basis or, if regular sanitation is not possible, all furnishings are to be removed from the pool deck.
- (2) Any use of pool decks or pool areas that deviate from the CDC Guidelines or these requirements remain prohibited.
- (3) Tennis Courts may be opened only for singles play. Arrangements for sanitation of commonly touched surfaces such as gate handles and other equipment are highly recommended.
- (4) All other recreational common areas, including but not limited to, community rooms, lounges, club houses, gazebos, gyms, hot tubs, splash pads, kiddie pools, other athletic courts, and sauna rooms, 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 limit of 10 persons.

**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/physical distancing practices as recommended by the CDC, 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 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 beaches 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, facility rentals, and organized sports leagues.

**Section 7. Limited Park Space Use Permitted.** Designated Parks in Hallandale Beach are open to public access on a limited basis commencing on April 30, 2020, subject to the limitations set forth below. Designated Parks will be those parks listed as Designated Parks at [www.cohb.org/parksreopen](http://www.cohb.org/parksreopen) and shall be used only for walking and jogging. Opening of Designated Parks shall be done in compliance with the following guidelines. Any activities that deviate from these guidelines remain prohibited.

- (1) Designated Parks initially include Joseph Scavo Park, BF James Park, Foster Park, Foster Park Plaza, Ingalls Park, Peter Bluesten Park. This listing is subject to change without notice and changes will be reflected on <http://www.cohb.org/parksreopen> and signage at the park.
- (2) Initial Park hours will be 7am – 9am and 4pm – 6pm daily. Park hours may be adjusted and will be posted on signage and at <http://www.cohb.org/parksreopen>.
- (3) Designated Parks will reopen only for the passive uses of walking and jogging.
- (4) All Park Ordinances, rules and regulations are in effect.
- (5) All users must follow current emergency orders and CDC guidelines for public areas, personal hygiene, physical distancing, social gatherings, and face coverings.
- (6) Passive use does not include any use that requires use of park buildings or equipment.
- (7) All playgrounds, swimming pools, dog parks, community centers, picnic shelters/pavilions, outdoor fitness equipment, athletic courts, athletic fields, restrooms, sport lightings, and park amenities shall remain closed to the public.
- (8) Parking lots will remain closed to minimize travel and encourage neighborhood use.
- (9) Facial coverings must be worn in accordance with HB 20-05.1.
- (10) Visitors are not permitted to use parks if they are exhibiting COVID-19 symptoms.
- (11) Anyone deemed by City staff to be in violation of the guidelines will be instructed to leave the park and is prohibited from further use of the park for the remainder of the day. Refusal to leave upon the instruction of a City staff person or return to the park after ejection is subject to enforcement as indicated below.

**Section 8. Marina.** The City Marina will be open on a limited basis, for boat owner and immediate family access only, commencing on April 30, 2020, subject to the following limitations. Guests are prohibited. In accordance with CDC guidelines, all users must practice social distancing. Marina restrooms shall remain closed to all users.

**Section 9. Cemetery.** The City of Hallandale Beach Cemetery is open only for family visitation, subject to the gathering restrictions as detailed above in Section 5 and Facial

Coverings pursuant to HB20-05.1. Burial services will continue to be restricted by administrative guidelines.

**Section 10. 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 11. Permissible Construction.** In accordance with the Broward County Emergency Order 20-01, 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 12. 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 citations, 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 13.** This order replaces previously issued City emergency order HB20-04 and becomes effective at 12am on April 30th. Other current orders at the time of this publication, and which remain in effect, are:

- HB20-05.1 Requirement of Face Coverings
- HB20-06 Virtual Meeting Guidelines

ISSUED THIS 29th DAY OF APRIL 2020, HALLANDALE BEACH, BROWARD COUNTY, FLORIDA.

BY:



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Greg Chavarria, City Manager

ATTEST:

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City Clerk