

# **CITY OF HOLLYWOOD EMERGENCY ORDER 2020-03**

## **TEMPORARY CAFÉ ZONE ORDER**

On March 11, 2020, a State of Emergency was declared in the City of Hollywood by Mayor Josh Levy relating to the Novel Coronavirus Disease 2019 (“COVID-19”), and subsequently re-declared on March 18, 2020, March 25, 2020, April 1, 2020, April 8, 2020, April 15, 2020, April 22, 2020, April 29, 2020, May 6, 2020 and May 13, 2020.

COVID-19 is believed to spread by respiratory droplets that come from the mouth and nose. It is believed that people who are asymptomatic can still spread COVID-19 by breathing, talking, laughing, coughing, and sneezing. The Centers for Disease Control and Prevention (“CDC”) has issued a guidance that the food service industry should implement social distancing of at least six feet between groups.

In accordance with the State of Florida’s “Phase 1 Safe. Smart. Step by Step Plan for Florida’s Recovery” and Broward County Emergency Order 20-10, restaurants have been allowed to resume onsite food service operations with certain restrictions. These measures are designed to protect the health and well-being of the community by slowing the spread of COVID-19 while allowing restaurants to increase their respective business capacity.

To limit the potential community spread of COVID-19, it is necessary for the City of Hollywood to continue to implement restrictions and protective measures for the general health, safety, and welfare of the community. The City of Hollywood also recognizes the need to reasonably accommodate local businesses that have been negatively impacted by the COVID-19 pandemic to encourage economic recovery.

On May 14, 2020, Governor Ron DeSantis issued Executive Order Number 20-122 which allowed the re-opening of businesses in Miami-Dade and Broward Counties. Broward County Administrator Bertha Henry also issued Executive Order 20-10, which specified which businesses may re-open in Broward County and their respective operating restrictions.

THEREFORE, pursuant to Section 252.38(3) and 252.46, Florida Statutes and Section 1.01 of the Charter of the City of Hollywood, as well as Section 40.01, City Code of the City of Hollywood, the City has the power to issue emergency orders with the force of law. The City Manager has expressly been authorized to issue Emergency Orders.

### **IT IS HEREBY ORDERED:**

1. Purpose. The purpose of this Emergency Order is set forth in the recital clauses above and said recital clauses are hereby adopted, incorporated herein by reference and made a part of this Order.
2. Establishment of Temporary Café Zones. Pursuant to Section 124.02 of the City of Hollywood Code of Ordinances, the City of Hollywood establishes Temporary Café Zones in the Beach and Downtown Community Redevelopment Agency (CRA) districts, as well as in those areas adjacent to existing restaurants Citywide that are in commercially zoned areas with no fees required in accordance with the Backing Business Program Guide.

3. Adoption of the City's Backing Business Program. In an effort to support the Governor's Executive Order Number 20-122 and Broward County Executive Order 20-10, and to promote business operation and economic recovery while maintaining focus on core safety principles, the City of Hollywood's "Backing Business Program Guide", and all terms, conditions and requirements set forth therein, are adopted, incorporated by reference and made a part of this Order.

4. Program Guide Requirements. The Backing Business Program Guide sets forth the terms, conditions and requirements for utilization of the City rights-of-way and private parking areas for restaurant use, without a permit, as authorized under this Emergency Order, which requirements include but are not limited to the following:

- Indoor seating capacity is limited to 50% of building occupancy;
- Outdoor seating in the City rights-way and private parking areas may only be utilized for additional tables and chairs for restaurant or food establishment seating. Lounge seating or bars are prohibited in the City rights-of-way and private parking areas;
- All indoor and outdoor seating shall be limited to seating parties of 10 or fewer people and seating of parties shall be spaced at least 6 foot apart;
- Facial coverings are required for employees serving patrons and facial coverings and gloves preparing food;
- All restaurants shall use disposable paper menus;
- Hand washing or hand sanitizing stations shall be easily accessible;
- Reservations are encouraged for restaurants to prevent capacity issues;
- All bar counters shall be closed to seating;
- Use of any portion or percentage of private off-street parking areas for restaurant and retail use shall require the property-owner's written approval;
- No seat, No Service. All restaurant patrons must be SEATED at a table (not at the bar). If tables are filled, the patrons must leave the establishment. Lingering and loitering at the entrance of an establishment is prohibited.

7. Certain Code sections not waived. Nothing in this Emergency Order shall be construed to authorize the waiver of any City Code requirements, and all such other Code provisions and laws shall remain in full force and effect. Any use of City rights-of-way and private parking areas for restaurant and retail use pursuant to this Order shall comply with all applicable fire, life safety, and ADA requirements.

8. Enforcement. This Order is in addition to, and supplements, the City's Declaration of a State of Emergency, City Emergency Orders, 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 Code Compliance personnel through issuances of warnings and/or civil citations, 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 pursuant to applicable provisions of Florida law, Chapter 162, Florida Statutes, and City Code.

9. Effective Date. This Emergency Order is effective as of 12:01 a.m. on May 18, 2020 and shall remain in full force and effect until terminated.

ORDERED ON AND FILED WITH THE CLERK OF THE CITY OF HOLLYWOOD ON  
MAY 14, 2020.

Ordered by: \_\_\_\_\_  
Dr. Wazir Ishmael, City Manager