



UPDATED LOCAL DECLARATION OF PUBLIC EMERGENCY

TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA

March 27, 2020

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 2, 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 Novel Coronavirus Disease 2019 (“COVID-19”); and

WHEREAS, on March 13, 2020, the Mayor declared a public emergency in the Town for seven days unless earlier terminated; and

WHEREAS, on March 18, 2020, the Mayor issued an updated local declaration of public emergency, closing all Town beaches; requiring all licensees authorized to sell alcoholic beverages for consumption on premises that derive more than 50% of its gross revenue from the sale of alcoholic beverages to close; and requiring all restaurants, cafeterias, and other food service establishments are mandated to cease all on-premises service; and

WHEREAS, on March 20, 2020, the Mayor issued an updated local declaration of public emergency limiting all public gatherings to no more than 10 people; prohibiting tents, coolers, tables, chairs, and grills from all Town parks, portals, plazas, and rights-of-way; and authorizing the Broward Sheriff’s Office to enforce all Town Local Declarations of Public Emergency, and any executive orders issued by the Governor that are just as stringent or more stringent than Town orders; and

WHEREAS, on March 26, 2020, Broward County Administrator Bertha Henry issued Emergency Order 20-03, strongly urging individuals to remain at home; and

WHEREAS, numerous other local governments and multiple states have adopted various versions of “shelter in place” and “safer at home” orders, 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, there have been confirmed cases of COVID-19 in local governments around the Town and there may be cases of COVID-19 within the Town jurisdictional boundaries; and

WHEREAS, to limit the potential community spread of COVID-19, it is now necessary for the Town to implement restrictions for the general health, safety, and welfare of the community; and

WHEREAS, pursuant to Sections 252.38(3) and 252.46, Florida Statutes, and Section 5.2 of the Town Charter, the Mayor has the power to govern during times of grave public danger or emergency.

NOW THEREFORE, I, THE MAYOR OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, HEREBY PROCLAIM AND DECLARE:

SECTION 1. Safer at Home. 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 3, below.

SECTION 2. Restricted Travel on Public Right of Way. Unless a person has a Permissible Use as provided for in Section 3, 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 Town of Lauderdale-by-the-Sea.

SECTION 3. Permissible Use. Notwithstanding Section 1 and 2, all residents and visitors in the Town may lawfully engage in the following activities:

- (1) **Essential Businesses.** Residents and visitors may engage in travel to Essential Businesses and provide minimum basic operations to non-essential businesses as identified in Broward County Emergency Orders 20-01 and 20-02, as further refined in Broward County Emergency Order 20-03; and as may be amended or extended. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).
- (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 Town may continue to perform work for and in support of businesses authorized to be open to the public in accordance with Broward County Emergency Order 20-01, 20-02, and 20-03, and any local government, the State government, or the Federal government.
- (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 7 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 4 below, to the greatest extent feasible and the size of public gatherings as defined in Section 7 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, 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 this Order.
- (8) **Public Transit.** 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 4 below, to the greatest extent feasible.

SECTION 4. 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 5. Limit on Gatherings. All gatherings of 10 or more people shall be prohibited except for those identified in Section 3 above. Social Distancing Requirements must be observed.

SECTION 6. 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 7. Enforcement. This Order may be enforced by the Broward Sheriff's Office, acting as the Town's police department pursuant to Chapter 15 of the Town Code, and by other state or local agencies with jurisdiction, through issuance of Notices to Appear or arrest, pursuant to the provisions of Chapter 252, Florida Statutes, and other applicable state, County, and Town laws, rules and regulations, or by the Town's Code Compliance Department, through the issuance of Code Violations and Notices of Violation pursuant to applicable provisions of Florida law, Chapter 162, Florida Statutes, and Town Code.

SECTION 8. Conflicts. The orders and provisions of the Town's Local Declaration of Public Emergency issued on March 18 and 20, 2020, shall remain in effect. This Order is in addition to, and supplements, the Town's the Town's Emergency Orders, County Emergency Orders, and State of Florida Executive Orders and shall be strictly adhered to at all times. To the extent of any conflict between this Order and any previously issued Town, County, or State Order, the more stringent provisions shall control to the extent of such conflict.

SECTION 9. Duration. This Declaration shall be in effect for as long as the State of Florida state of emergency is in effect, unless this Declaration is earlier terminated.

SECTION 10. Implementation. This Declaration authorizes the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the community, and requires that such actions shall be reported to and are subject to ratification at the next meeting of the Town Commission.

SECTION 11. Publicity. This Declaration shall be filed promptly with the Town Clerk and shall be given prompt and general publicity.

SECTION 12. Effective Date. This Declaration shall take effect at 12:01 AM, Saturday, March 28, 2020.

SO DECLARED AND ORDERED THIS 27th DAY OF MARCH 2020.

A handwritten signature in blue ink, appearing to read "C. Vincent", written over a horizontal line.

Mayor Chris Vincent

Town of Lauderdale-By-The-Sea

ATTEST:

A handwritten signature in blue ink, appearing to read "Tedra Allen", written over a horizontal line.

Tedra Allen, Town Clerk