

CITY OF MARGATE, FLORIDA
EMERGENCY ORDER NO. 2020-001

SAFER AT HOME

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 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 12, 2020, the City Manager declared a State of Local Emergency; which was subsequently extended on March 26, 2020; and

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

WHEREAS, on March 17, 2020, Governor DeSantis issued Executive Order 20-68, setting forth, among other things, certain requirements for bars, pubs, nightclubs and restaurants and supporting the closure of beaches at the discretion of local authorities and issuance of;

WHEREAS, subsequently, the Governor has issued numerous Executive Orders relating to public behavior in view of the COVID-19 pandemic as well as governing the operation of certain non-essential businesses in Broward County (all orders of the Governor issued to date are collectively referred to as the Governor’s Orders); and

WHEREAS, on March 22, 2020, the Broward County Administrator issued Administrator’s Emergency Order No. 2020-01 relating to non-essential businesses, which was modified on March 23, 2020 by Administrator’s Emergency Order No. 2020-02 and modified again on March 26, 2020 by Administrator’s Emergency Order No. 2020-03; 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, since the outbreak of COVID-19, numerous local governments and states have ordered its populace to shelter in place or stay at home. These orders are designed to protect the health and well-being of residents, to create social distancing, and to minimize the spread of COVID-19; and

WHEREAS, of today, the spread of COVID-19 has not been contained and remains a threat to the public health, safety and welfare. To limit the potential community spread of COVID-19 the City wishes to request residents shelter in place and offer guidance and direction to its residents with respect to social distancing and other gatherings as part of its community mitigation strategy and to impose certain restrictions to that end; and

WHEREAS, pursuant to Section 252.46, *Florida Statutes* and Chapter 33 of the City Code, and the Governor's Orders, the City Manager has the power to issue emergency orders with the force of law; and

WHEREAS, subject only to the exceptions outlined in Section 3 below, all persons living within the City of Margate are hereby ordered to stay at home, or on the real property upon which their home is located.

NOW, THEREFORE, I, Cale Curtis, as City Manager, pursuant to my emergency authority under Section 33-7 of the City Code, the Declaration of Emergency issued by the Governor, Chapter 252, Florida Statutes, and by the State of Local Emergency, declare:

Section 1. 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. 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 City of Margate.

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

- a) **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, 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). People may use public transit for purposes of travel to and from Essential Businesses whereby either for work commitments and/or engaging in commerce with those Essential Businesses and/or essential governmental functions. People riding on public transit must comply with Social Distancing Requirements as defined in Section 4 below, to the greatest extent feasible.

- b) **Emergency Assistance.** Residents and visitors may engage in travel and similar activities to obtain assistance from law enforcement, fire-rescue, or other emergency services.
- c) **Personal Support Activities.** Residents and visitors may travel to and from their homes to care for or support a friend, companion, support group, family member, or pet, or a vulnerable person.
- d) **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 Broward County Emergency Order 20-01, 20-02, as further refined in Broward County Emergency Order 20-03, and as may be amended or extended; and any local government, the State government, or the Federal government.
- e) **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. Gymnasiums, fitness centers, and swimming pools which are common area amenities of residential buildings, HOAs, Hotels, Motels are required to close until further notice.
- f) **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 service.
- g) **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.
- h) **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 (six) 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. Essential Businesses Employee Screening. For those businesses deemed to be an Essential Business, as set forth above, these facilities are strongly urged to implement Center for Disease Control (CDC) guidelines for employee screening and may prohibit any employee from entering the premises if they affirmatively answer any of the below questions:

- (1) Have you returned from international travel (anywhere outside the United States) or been on a cruise within the last fourteen (14) days?
- (2) Have you been in contact with anyone who has returned from international travel or been on a cruise within the last fourteen (14) days?
- (3) Have you been in any gathering of fifty (50) people or more in the last fourteen (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 fourteen (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 6. 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 ten (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 six (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 six (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 7. Limit on Gatherings. All public and private gatherings of any number of people occurring outside a residence are prohibited except for gatherings between family members, caretakers, or household members provided such gathering does not exceed ten (10) people.

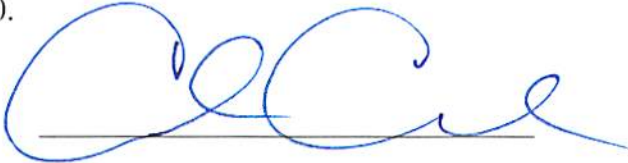
Section 8. Homelessness. Individuals experiencing homelessness are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to utilize Social Distancing Requirements in their operation).

Section 9. Exceptions for Utilities and Government Personnel/Contractors. Nothing in this Order shall be construed to limit or restrict movement or use of the public rights of way for use by utility companies, other local governments, the state government, and federal government or their employees/contractors while engaged in their official duties.

Section 10. Enforcement. This Order is in addition to, and supplements, the City's Declaration of a State of Emergency, 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 law enforcement personnel through issuance of code violations, 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 Notices of Violation pursuant to applicable provisions of Florida law, Chapter 162, Florida Statutes, and City Code.

Section 11. Effective Date. This Emergency Order is effective as of 12:01AM on March 28, 2020 and shall remain in full force and effect until terminated.

ORDERED AND FILED WITH THE CLERK OF THE CITY OF MARGATE ON MARCH 27, 2020.



Cale Curtis, City Manager

ATTEST:



Joseph J. Kavanagh, City Clerk