

**MAYORAL EXECUTIVE ORDER**

**10-2020**

COVID-19, a respiratory illness caused by a virus that spreads rapidly from person to person and may result in serious illness or death, constitutes a clear and present threat to the lives, health, welfare, and safety of the people of Broward County, including the City of Plantation; and

On March 9, 2020, Governor Ron DeSantis signed Executive Order No. 20-52, thereby declaring a public health emergency in the State of Florida due to public health threat resulting from the spread of the Novel Coronavirus Disease 2019 (“COVID-19”); and

On March 10, 2020, Broward County Administrator Bertha Henry declared a state of emergency in Broward County; and

On March 11, 2020, the World Health Organization declared the COVID-19 outbreak a global pandemic; and

On March 13, 2020, President Trump declared a national emergency concerning COVID-19; and

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

On March 19, 2020 a State of Emergency was declared in the City of Plantation relating to COVID-19; and Since the outbreak of COVID-19 numerous local governments and multiple states have adopted various versions of “stay at home” and “safer at home” orders. These orders

are 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

On March 26, 2020, Mayor Stoner issued Mayoral Executive Order 02-2020 (Safer at Home) directing residents to stay at home; and

On March 30, 2020, Governor Ron DeSantis issued Executive Order No. 20-89 restricting public access to businesses and facilities deemed non-essential in Miami-Dade County, Broward County, and Palm Beach County; and

On April 1, 2020, Governor DeSantis issued Executive Order 20-91, ordering all persons in Florida to limit their movements and personal interactions outside their homes to only those necessary to obtain or provide essential services or conduct essential activities;; and

On April 9, 2020, Broward County Administrator Bertha Henry issued Broward County Emergency Order 20-06, as required by the Governor's Executive Order 20-89, restricting public access to businesses and facilities deemed nonessential pursuant to the guidelines established by Miami-Dade County Emergency Order 07-20, as modified by amendments prior to March 30, 2020 (collectively, the "Miami-Dade Emergency Order 07-20"); and

On April 28, 2020, as part of a coordinated effort with the local municipalities and the adjoining counties, Broward County Administrator Bertha Henry reopened certain parks, golf courses, and other recreational facilities in Broward County pursuant to the guidelines in Broward County Emergency Order 20-08, as amended; and

On April 29, 2020, Governor DeSantis issued Executive Order 20-112, as amended, establishing Phase 1 of a step-by-step plan for Florida's recovery, and adding (for counties other than Broward, Miami-Dade, and Palm Beach Counties) certain additional services to the activities previously permitted for individuals under Executive Order 20-91, including on-

premises consumption of food and beverage at restaurants, operation of in-store retail, and opening of museums and libraries (if permitted by the local government), subject to a twenty-five percent (25%) capacity limitation and certain other limitations; and

On May 8, 2020, Governor Ron DeSantis issued Executive Order No. 20-114 extending the state of emergency declared in Executive Order 20-52 until July 7, 2020; and

On May 9, 2020, Governor DeSantis issued Executive Order 20-120, authorizing licensed professionals including barbers and cosmetologists to provide personal services as part of Phase 1; and

On May 14, 2020, Governor DeSantis issued Executive Order 20-122 permitting Broward County to participate in the Phase 1 reopening identified in Executive Order 20-112, Executive Order 20-120, and any future orders pertaining to Phase 1; and

On May 14, 2020, Governor DeSantis issued Executive Order 20-123 extending and modifying Executive Order 20-112, as modified by Executive Order 20-120, bringing all Florida Counties into Full Phase 1; and

On May 14, 2020, Broward County Administrator Bertha Henry issued Emergency Order 20-10 in coordination with the local communities to take measured steps to participate in the Phase 1 reopening in Broward County; and

On May 15, 2020, Mayor Stoner issued Mayoral Executive Order 06-2020, to take measured steps to participate in the Phase 1 reopening in Broward County; and

On May 21, 2020, Broward County Administrator Bertha Henry issued Emergency Order 20-12 which outlines the establishments currently permitted to operate in Broward County, and permits a customized approach to reopening Broward County that incorporates guidelines and requirements for safe operations for opened businesses and services; and

On May 21, 2020, Mayor Stoner issued Mayoral Executive Order 07-2020, to continue taking measured steps to participate in the Phase 1 reopening in Broward County in accordance with Broward County Emergency Order 20-12; and

On May 22, 2020, Broward County Administrator Bertha Henry issued Emergency Order 20-13 permitting the reopening of beaches, commercial gyms and fitness centers, and hotels and other commercial lodging; and

On May 26, 2020, Mayor Stoner issued Mayoral Executive Order 09-2020, to continue taking measured steps to participate in the Phase 1 reopening in Broward County in accordance with Broward County Emergency Order 20-13; and

On May 29, 2020, Broward County Administrator Bertha Henry issued Emergency Order 20-14 which further addresses Phase 1 reopening guidelines to slightly expand beach activities, clarify the use of community rooms, allow for doubles racquet sports, expand massage establishment services beyond those medically necessary, and allow tattoo establishments to open; and

In accordance with section 4. D. of Governor Ron DeSantis' Executive Order No. 20-52, the City of Plantation is authorized to waive the procedures and formalities otherwise required by law.

Pursuant to the City Charter, Chapter 252, Florida Statutes, and section 2-452 et. seq., of the City's code of ordinances, as well as the authority granted me by the Declaration of Emergency issued by Governor DeSantis in Executive Order 20-52, by the City of Plantation Comprehensive Emergency Management Plan, and all other applicable laws, the Mayor has the power to issue emergency orders with the force of law. **IT IS HEREBY ORDERED:**

**Section 1. Adoption of Broward County Administrator’s Emergency Orders 20-12, 20-13, and 20-14.**

The City of Plantation hereby adopts Broward County Administrator’s Emergency Order 20-12 as if fully set forth herein, as amended. A copy of the Order is attached hereto as Exhibit 1. The City of Plantation hereby adopts Broward County Administrator’s Emergency Order 20-13 as if fully set forth herein, as amended. A copy of the Order is attached hereto as Exhibit 2. The City of Plantation hereby adopts Broward County Administrator’s Emergency Order 20-14 as if fully set forth herein. A copy of the Order is attached hereto as Exhibit 3.

**Section 2. Waiver of City of Plantation Code Requirements- Temporary, Window and Transitory Commercial Signage**

Notwithstanding anything contained to the contrary in the City of Plantation Charter, Code of Ordinances, uncodified ordinances, rules, regulations or policies, I hereby order and authorize the temporary relaxation and suspension of the following zoning standards pertaining to temporary and transitory signs as set forth in Chapter 22, Article III, Division 1 of the Plantation Code of Ordinances to promote and foster economic and commercial activity within the City of Planation. This directive shall include:

- A. All provisions within Section 22-61 of the Code of Ordinances pertaining to:
  - i. Minimum setback of temporary commercial signs;
  - ii. Maximum allowable sign area for subordinate messages;
  - iii. Maximum allowable sign area for logos; and
  - iv. Standards regulating the condition, appearance and state of repair of signs.
- B. All provisions within Section 22-62 of the Code of Ordinances pertaining to:
  - i. Maximum number of commercial temporary signs; and

- ii. Timeframe for final removal of commercial temporary signs.
- C. All provisions within Section 22-65 of the Code of Ordinances limiting window signage to a maximum of twenty percent (20%) of the glazed area where such sign is displayed.
- D. All provisions within Section 22-70 of the Code of Ordinances pertaining to maximum time of display of transitory signs.
- E. All provisions within Section 22-72 of the Code of Ordinances pertaining to:
  - i. Maximum number of nonresidential transitory signs; and
  - ii. Timeframe for final removal of nonresidential transitory signs.
- F. All provisions within Section 22-90 of the Code of Ordinances pertaining to:
  - i. The prohibition of sandwich signs; and
  - ii. The prohibition of snipe signs.

**Section 3. Waiver of City of Plantation Code Requirements- Open Air café and Outside Seating**

Notwithstanding anything contained to the contrary in the City of Plantation Charter, Code of Ordinances, uncodified ordinances, rules, regulations or policies, I hereby order and authorize the temporary relaxation and suspension of the following standards pertaining to open air café and outside seating for low turnover, sit-down restaurant or high turnover sit-down restaurant as set forth in Chapter 27, Article X and Article VII, Division 26, Subdivision C of the Plantation Code of Ordinances to promote and foster economic and commercial activity within the City of Planation. This directive shall include:

A. All provisions within Section 22-721(61)a and 27-613.3(18)a of the Code of Ordinances pertaining to the requirement to obtain a zoning permit from the Planning, Zoning and Economic Development Department prior to establishing and operating an outdoor café within the City.

B. All provisions within Section 22-721(61)g and 27-613.3(18)g of the Code of ordinances pertaining to:

- i. The total area of an outdoor café; and
- ii. Additional parking requirements for an outdoor café exceeding ten (10) percent of the area of the primary restaurant.

C. All provisions within Section 22-721(61)h and 27-613.3(18)h of the Code of ordinances pertaining to:

- i. The weight of outdoor café furniture;
- ii. The color and design of outdoor café furniture;
- iii. The manner in which the color of the outdoor furniture is applied or adhered to such furniture;
- iv. The durability and construction of outdoor café furniture; and
- v. The requirement that all outdoor café furniture be limited to that shown on an approved site plan

D. All provisions within Section 22-721(61)k and 27-613.3(18)k of the Code of ordinances pertaining to the requirement that all kitchen and other equipment (e.g. bus service stations, remote menu computer stations, hostess stations) used to service an open air outdoor café area shall be located within the primary restaurant use and that only items reflected in an approved plan shall be permitted in the outdoor café area.

#### **Section 4. Religious Services.**

This Emergency Order does not limit religious services at any location, but all persons performing or attending religious services are urged to fully comply with all measures advised by the CDC including limiting gatherings to no more than ten (10) people and practicing social distancing of at least six (6) feet between persons.

#### **Section 5. Enforcement.**

City of Plantation Police Department, other law enforcement agencies, including municipal law enforcement agencies, code enforcement officers, and other personnel as provided for in the City of Plantation Code of Ordinances, are authorized to enforce this Emergency Order against any person or entity violating any provision of this Emergency Order. Violations of this Emergency Order shall be prosecuted in the same manner as misdemeanors are prosecuted, including fines not to exceed \$500 per violation.

#### **Section 6. Applicability; Severability.**

This Emergency Order supersedes and replaces any contrary provision in any prior City of Plantation Emergency Order. Except as superseded, all City of Plantation Emergency Orders remain in full force and effect. Mayoral Emergency Order 04-2020 (use of Cloth Masks by Residents and Visitors) is repealed. Although the businesses and entities specified in this Emergency Order may open subject to the guidelines set forth herein, no business or entity is required to reopen if such business or entity does not wish to do so or believes it cannot do so safely. Any provision(s) within this Emergency Order that conflict(s) with any state or federal law or constitutional provision, or conflict(s) with or are superseded by a current or subsequently-issued Executive Order of the Governor or the President of the United States, or Broward County solely to the extent such Executive Order (a) expressly preempts the substance




of the Emergency Order or (b) imposes stricter closures than set forth herein, shall be deemed inapplicable and deemed to be severed from this Emergency Order, with the remainder of the Emergency Order remaining intact and in full force and effect. To the extent application of some or all of the provisions of this Emergency Order is prohibited on the sovereign land of a federally or state recognized sovereign Indian tribe, such application is expressly excluded from this Emergency Order.

**Section 7. Effective Date; Duration.**

This order shall be effective as of 12:01 a.m. on Monday, June 1, 2020. This Emergency Order shall expire upon the expiration of the existing State of Local Emergency, as same may be extended by subsequent order or declaration, unless earlier terminated by subsequent Emergency Order.

**ORDERED ON AND FILED WITH THE CLERK OF THE CITY OF PLANTATION ON**  
June 1, 2020.

Ordered by:   
Lynn Stoner, Mayor