

## **PROCLAMATION**

### **A PROCLAMATION BY THE MAYOR OF THE CITY OF POMPANO BEACH PROCLAIMING A PUBLIC HEALTH EMERGENCY IN POMPANO BEACH, BROWARD COUNTY, FLORIDA, AND IMPOSING EMERGENCY REGULATIONS.**

**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**, in December of 2019, a new and substantial outbreak of COVID-19 emerged in Wuhan, China, and has since spread rapidly to 150 countries and territories throughout the world, including the United States, and more specifically Broward County and 18 other counties in the State of Florida; and

**WHEREAS**, on March 11, 2020, the World Health Organization (WHO) declared COVID-19 a pandemic; and

**WHEREAS**, as of March 16, 2020, there are 189,117 confirmed cases of COVID-19 globally, and 7,503 deaths, with 13,903 new cases and 862 new deaths, and 4 new countries reporting cases of COVID-19, in the preceding 24 hours; and

**WHEREAS**, the Centers for Disease Control and Prevention (CDC) is predicting that it is likely that widespread transmission of COVID-19 will also occur in the United States; and

**WHEREAS**, no vaccine or drug is currently available to cure or combat COVID-19; and

**WHEREAS**, as of March 14, 2020, at least 43 persons in Broward County and 192 persons in the State of Florida have tested positive for COVID-19, with an unknown number of persons awaiting testing or awaiting test results; and

**WHEREAS**, the City of Pompano Beach is threatened by COVID-19 because of the apparent ability of the virus to spread rapidly among humans, and COVID-19 thereby constitutes a clear and present threat to the health, safety, and welfare of the citizens and visitors of the City of Pompano 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**, 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] [p]erformance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;" and

**WHEREAS**, pursuant to Section 94.01 of the Code of Ordinances of the City of Pompano Beach, Florida, in the event of a proclamation of a state of emergency by the Governor, the Mayor of the City of Pompano Beach is empowered to take actions necessary to protect the health, safety and welfare of the City, and all such powers and authority granted under Chapter 252, Florida Statutes. Such authority includes:

1. Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Commission;
2. Obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and bind the City for the fair value thereof and, if required immediately, commandeer the same for public use;
3. Require emergency services of any City officer or employee and, in the event of the proclamation of a state of emergency in the county in which this City is located or the existence of a state of war emergency, command the aid of as many citizens of this community as he deems necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers;
4. Requisition necessary personnel or material of any City department or agency; and
5. Execute all of his ordinary power as Mayor, all of the special powers conferred upon him by Chapter 94, Code of Ordinances of the City of Pompano Beach, Florida, and by any other lawful authority.

**NOW, THEREFORE,**

I, Rex Hardin, Mayor of the City of Pompano Beach, Florida, pursuant to the authority vested in me by Chapter 94, Code of Ordinances of the City of Pompano Beach, Florida, do hereby declare and re-establish that a public health emergency exists in the City of Pompano Beach and declare, effective immediately, and for a period of 30 days hereafter, up through and including April 17, 2020:

1. The following events and activities within the City of Pompano Beach are postponed, cancelled, or suspended:
  - A. All meetings of the City Commission, City boards, including all advisory and statutory boards, City committees and City working groups;
  - B. All Special Magistrate, Code Enforcement, Zoning Board of Appeals, Planning and Zoning Board and Nuisance Abatement Board hearings;
  - C. All homeowner association and civic association meetings are recommended to be cancelled, and no City staff shall participate in same;
  - D. All City events; and
  - E. All City recreational programs and facilities, facility rentals, and organized sports leagues.
2. All public gatherings of any type, whether organized or otherwise, of greater than 10 persons are discouraged. Grocery stores, gas stations, convenience stores, banks, credit unions, financial institutions, hardware stores, auto-supply stores, hospital, healthcare and medical facilities, pharmacies, drug stores, medical supply companies, land or facilities owned and managed by Broward County, the Broward County School Board, the North Broward Hospital District, the State of Florida, and the Federal Government, are exempt from this regulation.
3. All bars, nightclubs, taverns, pubs, cocktail lounges, breweries, dance halls, movie theaters, halls for hire, auditoriums, bowling alleys, video arcades, and other like entertainment facilities and businesses including, but not limited to, those contained within a hotel or other enclosed facility or structure shall close.
4. All gyms, fitness centers, fitness studios, dance studios and gymnasiums shall close. This regulation shall not apply to gymnasiums, fitness centers, and fitness studios which: (a) are amenities of hotels or office buildings and which have a capacity of 10 persons or less; and (b) are an amenity of residential buildings.
5. All restaurants, cafeterias, and other food establishments are to limit on premises service to half capacity and to observe recommended distance separation, and in addition to not allow groups larger than 10 people to gather. Such establishments are also encouraged to expand operations of drive-thru, delivery, take-out, and exterior pick-up food services.
6. The Pompano Beach Public Beach, as defined in Section 98.01, Code of Ordinances, City of Pompano Beach, is closed.

7. Businesses exempted in Paragraph 2 and facilities exempted in Paragraph 4 herein shall have alcohol-based hand sanitizer at every entrance for use by persons upon entering and exiting.
8. All citizens of and visitors to the City of Pompano 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.
9. In accordance with Section 94.04, Code of Ordinances, City of Pompano Beach, any violation of any rule or regulation issued and set forth herein shall be punishable as provided in Section 10.99, Code of Ordinances, City of Pompano Beach.
10. The City of Pompano Beach's Declarations of Emergency Regulations issued on March 4, 2020 and March 11, 2020 regarding COVID-19 are hereby supplemented by this Order.

PROCLAIMED at 5:15 p.m. hours this the 18<sup>th</sup> day of March 2020.

  
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REX HARDIN, MAYOR

ATTEST:

  
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ASCELETA HAMMOND, CITY CLERK

MEB/jrm:jmz  
3/18/2020  
L:procl/2020-168

