



EMERGENCY ORDER NUMBER 1  
WELLINGTON COVID-19

**WHEREAS**, 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 Wellington; and

**WHEREAS**, on March 1, 2020, Governor Ron 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 Ron DeSantis issued Executive Order 20-52 declaring a state of emergency for the State of Florida as a result of COVID-19, and

**WHEREAS**, on March 24, 2020 Governor Ron DeSantis, issued Executive Order 20-83 directing the State Surgeon General and the State Health Officer to issue a public health advisory to advise senior persons, and persons that have a serious underlying medical condition that places them at a high risk of severe illness from COVID-19 to stay at home. Such conditions include, but not limited to, chronic lung disease or moderate to severe asthma; serious heart conditions; immunocompromised status, including those in cancer treatment; and severe obesity; 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 13, 2020, pursuant to section 252.38(3)(a)(5), Florida Statutes, Palm Beach County declared a local State of Emergency due to the Coronavirus pandemic, which has since been extended in accordance with applicable law; and

**WHEREAS**, Wellington has declared a State of Emergency pursuant to Chapter 252 of the Florida Statutes and has authorized the Village Manager to take all actions necessary and appropriate to protect human life and property, including the authority to promulgate rules and order necessary subject to the limitations of section 252.33 of the Florida Statutes; and

**WHEREAS**, on March 25, 2020, Palm Beach County issued Emergency Order No. 2 in which it directed all non-critical businesses throughout the unincorporated and

incorporated areas within the County to close except for those specifically enumerated in the Order; and

**WHEREAS**, on March 25, 2020, Palm Beach County issued Emergency Order No. 3 in which it directed all county and municipal parks be closed to the public and directed law enforcement personnel to enforce the Order; and

**WHEREAS**, the Village of Wellington is home to many beautiful neighborhoods and private gated communities that make parks, pools, tennis and other recreational facilities available to their members; and

**WHEREAS**, there is no vaccine or drug currently available to combat COVID-19; 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 ("FDOH") recommend implementation of community mitigation strategies to increase containment of the virus, including cancellation of large gatherings and social distancing between persons in smaller gatherings; and

**WHEREAS**, limitations on gatherings and the use of social distancing to prevent transmission of COVID-19 are especially important for people who are sixty (60) years old and older, and to people with chronic health conditions because those populations are at a higher risk of severe illness, hospitalization and death from COVID-19. However, it appears that everyone, regardless of age or health condition, is threatened by COVID-19 and could be spreading the COVID-19 virus even if not displaying symptoms; and

**WHEREAS**, the number of COVID-19 cases continues to rise, particularly in the tri-county areas of Miami-Dade, Broward and Palm Beach; and the goal of the CDC and FDOH is to slow the spread of the COVID-19 virus by requiring and mandating social distancing requirements and encouraging all seniors age 60 and older, and persons with chronic health conditions to stay at home and by encouraging and recommending that persons of all ages avoid groups of persons and stay at home unless serving critical purposes to the community; and

**WHEREAS**, Wellington is experiencing an increase in the number of COVID-19 cases resulting in increased concern from public health authorities concerning the importance of maintaining social distancing, keeping the elder population at home, washing hands and practicing good hygiene and following the mitigation strategies advanced by the CDC; and

**WHEREAS**, this Emergency Order is necessary because of the propensity of the virus to spread person to person and also because the virus is attaching to surfaces for prolonged periods of time; and

**WHEREAS**, this Emergency Order is necessary to protect the lives, health, welfare, and safety of Wellington's residents from the devastating impacts of this pandemic,

**NOW, THEREFORE, IT IS HEREBY ORDERED** pursuant to Wellington's Declaration of Emergency and Chapter 252 of the Florida Statutes, as follows:

Section 1. Effectively immediately, all public and private parks, playgrounds, golf courses, recreational facilities, pools and public seating areas located within Wellington shall be closed to the public except set forth in Section 2:

Section 2. Seating areas located within private gated communities may remain open provided they adhere to the CDC and FDOH social distancing guidelines, including maintaining 6 feet of separation between individuals and prohibiting gatherings of more than 10 people. Further, seating for more than 10 people shall be removed.

Section 3. This Emergency Order does not apply to one and two-family homes that have private pools, play structures and other recreational facilities.

Section 4. This Emergency Order does not apply outside of Wellington.

Section 5. This Emergency Order is supplemental and in addition to the Executive Orders issued by Governor DeSantis, including, but not limited to, Executive Orders 2070, 20-71, 20-72 and 20-83, as well as any Emergency Orders issued by Palm Beach County, including but not limited to Emergency Orders No 2 and No. 3, and any additional Executive Orders that may be issued by Governor DeSantis or the President or Emergency Orders issued by Palm Beach County that may be applicable to Wellington.

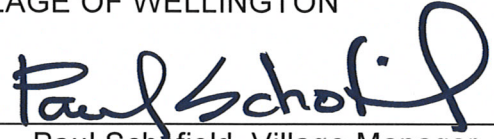
Section 6. Any provision(s) within this Emergency Order that conflict(s) with any county, state or federal law or constitutional provision, or conflict(s) with or are superseded by a current or subsequently-issued Executive Order of the Governor or the President of the United States or any county-wide Emergency Order or ordinance, 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 the provisions of this Emergency Order is prohibited on the sovereign land of a federally or state recognized sovereign or Indian tribe, such application is expressly excluded from this Emergency Order.

Section 7. This Order shall be effective at 5:00 p.m. on March 26, 2020 and shall last for the duration of the declared emergency.

DATED this 26<sup>th</sup> day of March, 2020.

VILLAGE OF WELLINGTON

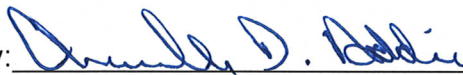
By:



Paul Schofield, Village Manager

ATTEST:

By:



Chevelle D. Addie, Village Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By:

Laurie Cohen

Laurie Cohen, Village Attorney

Digitally signed by: Laurie Cohen  
DN: CN = Laurie Cohen email = lcohen@wellingtonfl.gov  
C = US O = Village of Wellington OU = Village Attorney  
Date: 2020.03.26 14:04:55 -04'00'