

**CITY OF WESTON, FLORIDA  
EMERGENCY ORDER NO. 2020-09**

WHEREAS, First, 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, Second, 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, Third, on March 9, 2020, the Governor issued Executive Order 20-52, providing political subdivisions within the State with the authority to waive procedures and formalities otherwise required by law pertaining to:

- performing of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- entering into contracts;
- incurring obligations;
- employment of permanent and temporary workers;
- utilization of volunteer workers;
- rental of equipment;
- acquisition and distribution, with or without compensation, of supplies, materials and facilities;
- appropriation and expenditure of public funds; and

WHEREAS, Fourth, on March 16, 2020, the City of Weston declared a State of Local Emergency; and

WHEREAS, Fifth, on March 17, 2020, the Governor issued Executive Order 20-68, setting forth, among other things, certain requirements for bars, pubs, nightclubs and restaurants; on March 20, 2020, the Governor issued Executive Order 20-71, setting forth, among other things, additional and supplemental requirements for alcohol sales and restaurants and bars; and

WHEREAS, Sixth, Section 60.03(A)(6), of the Code of Ordinances, empowers the City Manager to issue orders necessary for the protection of life and property, establishment of public order, and control of adverse conditions affecting public welfare resulting from an Emergency, and to adopt order issues by Federal, State or Broward County Emergency management agencies; and

WHEREAS, Seventh, on March 18, 2020, Donald P. Decker, as City Manager, entered Emergency Order No. 2020-01, requiring that all restaurants close for on premises dining no later than 10:00 PM every night, but could remain open during their normally permitted hours for drive-thru, take-out and delivery services; and

**CITY OF WESTON, FLORIDA  
EMERGENCY ORDER NO. 2020-09**

WHEREAS, Eighth, on March 19, 2020, Donald P. Decker, as City Manager, entered Emergency Order No. 2020-02, closing Weston Regional Park, Tequesta Trace Park and Vista Park beginning at 11:00 PM on March 20, 2020, and requiring all restaurants cease all on premises dining beginning at noon on March 20, 2020; provided, however, that restaurants may remain open for their normally permitted hours for drive-thru, take-out and delivery services only; and

WHEREAS, Ninth, on March 22, 2020, Donald P. Decker, as City Manager, entered Emergency Order No. 2020-03, prohibiting all public gatherings of any type, whether organized or otherwise, of greater than 10 persons, with specified exemptions; and

WHEREAS, Tenth, on March 23, 2020, Donald P. Decker, as City Manager, entered Emergency Order No. 2020-04, adopting and incorporating Executive Orders 20-51, 20-52, 20-68, 20-69, 20-70, 20-71 and 20-72 issued by the Governor, and Broward County Emergency Order 20-01; and

WHEREAS, Eleventh, on March 25, 2020, Donald P. Decker, as City Manager, entered Emergency Order No. 2020-05, issuing a Safer at Home Order, and setting forth regulations for Essential Businesses and closing all of the City's parks; and

WHEREAS, Twelfth, on March 30, 2020, Donald P. Decker, as City Manager, entered Emergency Order No. 2020-06, implementing rules of procedure for public meetings utilizing communications media technology; and

WHEREAS, Thirteenth, on March 31, 2020, Donald P. Decker, as City Manager, entered Emergency Order No. 2020-07, closing common use recreational facilities, and adopting and incorporating Executive Order 20-89 issued by the Governor and Miami-Dade County Emergency Order 7-20, including its three amendments; and

WHEREAS, Fourteenth, on April 6, 2020, Donald P. Decker, as City Manager, entered Emergency Order No. 2020-08, encouraging persons to wear cloth facial coverings consistent with CDC guidelines, including cloth masks and adopting and incorporating Executive Orders 20-91 and 20-92 issued by the Governor, and Broward County Emergency Orders 20-03 and 20-05; and

WHEREAS, Fifteenth, this order requiring certain persons to wear a form of covering over their nose and mouth shall supersede Emergency Order No. 2020-08.

NOW, THEREFORE, I, Donald P. Decker as City Manager, hereby declare:

Section 1: Covering of Nose and Mouth

Section 1(A): Except as provided herein, effective 12:01 AM on April 11, 2020, all employees and customers of grocery stores, pharmacies, restaurants and banks shall be required to wear a form of covering over their nose and mouth at all times while inside the grocery store, pharmacy, restaurant and bank.

**CITY OF WESTON, FLORIDA  
EMERGENCY ORDER NO. 2020-09**

Section 1(B): All individuals providing delivery services shall wear a form of covering over their nose and mouth while making deliveries.

Section 1(C): A covering over the nose and mouth may include a face mask, homemade mask, or other cloth covering, such as a scarf, bandana, handkerchief or other similar cloth covering.

Section 1(D): In addition to the requirements applicable to grocery stores, pharmacies, restaurants and banks, employees and customers of all other essential retail and commercial establishments are strongly encouraged to wear a form of covering over the nose and mouth, as described above.

Section 1(E): All essential retail and commercial establishments are strongly encouraged to implement policies for employees to use other personal protective equipment, such as gloves, subject to the availability of such items.

Section 1(F): The requirements of this Section shall not apply to any outdoor activity permitted under any applicable City, County, or State order, except as provided herein with respect to persons providing delivery services.

Section 1(G): Nothing herein shall operate to restrict any employee or customer from accessing any essential retail or commercial establishment to address any emergency or other exigent circumstance, even if a covering over the nose and mouth is not readily accessible at the time of such emergency or other exigent circumstance.

Section 1(H): Medical and surgical face masks, such as "N95" masks or other similar medical or surgical masks, are in short supply and should be reserved for health care personnel and other first responders with the greatest need for such personal protective equipment. Persons are encouraged to review and comply with the CDC and Florida Department of Health guidelines on personal protective equipment, including with respect to the use of a medical or surgical face mask, such as an "N95" mask or other similar medical or surgical mask.

Section 2: This Order supersedes Emergency Order No. 2020-08.

Section 3: Broward County Emergency Order 20-06, attached hereto as an Exhibit is adopted by the City of Weston and incorporated herein.

Section 4: This Order shall remain in place as long as the State of Local Emergency is in effect, as amended and extended.

Section 5: The orders and provisions of this Emergency Order, and all prior City Emergency Orders, may be enforced within the boundaries of the City of Weston by the Broward Sheriff's Office, as the City's law enforcement agency, as well as the City's Code Enforcement Officers.

**CITY OF WESTON, FLORIDA  
EMERGENCY ORDER NO. 2020-09**

Section 6: Any violation of any rule or regulation issued and set forth herein shall be punishable as provide in Section 2.99 of the Code of Ordinances of the City of Weston.

Section 7: This Order is in addition to, and supplements, the City's Emergency Orders. All requirements of City Emergency Orders, Broward County Emergency Orders, and State of Florida Executive Orders shall be strictly adhered to at all times.

Section 8: This Order shall take effect immediately upon execution.

DECLARED this 10<sup>th</sup> day of April 2020, at 2:15 PM.

  
\_\_\_\_\_  
Donald P. Decker, City Manager

ATTEST:

  
\_\_\_\_\_  
Patricia A. Bates, MMC, City Clerk

**CITY OF WESTON, FLORIDA  
EMERGENCY ORDER NO. 2020-09**

**EXHIBIT 1**

**BROWARD COUNTY ADMINISTRATOR'S  
EMERGENCY ORDER 20-06**

*(see following 6 pages)*

**BROWARD COUNTY ADMINISTRATOR'S  
EMERGENCY ORDER 20-06**

**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 Broward County;

**WHEREAS**, on March 1, 2020, Governor DeSantis declared a Public Health Emergency as a result of COVID-19, and on March 9, 2020, Governor DeSantis issued Executive Order 20-52, declaring a State of Emergency as a result of COVID-19;

**WHEREAS**, on March 10, 2020, I declared a Local State of Emergency;

**WHEREAS**, on March 11, 2020, the World Health Organization declared the spread of COVID-19 to be a global pandemic;

**WHEREAS**, on March 13, 2020, President Trump declared a national emergency concerning COVID-19;

**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;

**WHEREAS**, on March 10, 2020, the Broward County Board of County Commissioners authorized me to take any appropriate and necessary action to protect the health and safety of Broward County residents and visitors in connection with COVID-19, and other emergency powers, including under the state-approved emergency management plan, had previously been delegated to me (as further outlined below);

**WHEREAS**, on March 19, 2020, Miami-Dade Mayor Carlos Gimenez signed Emergency Order 07-20, closing all nonessential businesses in Miami-Dade County and creating a list of essential businesses that are permitted to continue to operate in Miami-Dade County;

**WHEREAS**, on March 21, 2020, I signed Broward County Emergency Order 20-01, directing all nonessential businesses to close except to the extent they were permitted to operate under said order;

**WHEREAS**, on March 30, 2020, Governor DeSantis executed Executive Order 20-89, ordering Miami-Dade County, Broward County, Palm Beach County, and Monroe County to restrict access to businesses and facilities deemed nonessential pursuant to the guidelines established by Miami-Dade County Emergency Order 07-20, as modified by subsequent amendments and orders prior to March 30, 2020 (collectively, the "Miami-Dade Emergency Order 07-20");

**WHEREAS**, 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;

**WHEREAS**, Executive Order 20-91, as amended, supersedes any local government orders to the extent they are inconsistent with Executive Order 20-91, as amended, but permits the County to institute additional precautions to prevent the spread of COVID-19 where such precautions are not in conflict with the Governor's orders; and

**WHEREAS**, this Emergency Order is issued to implement the Governor's Executive Orders 20-89 and 20-91, as amended;

**NOW, THEREFORE,** I, Bertha Henry, the Broward County Administrator, pursuant to my emergency authority under Sections 8-53 and 8-56 of the Broward County Code of Ordinances, as well as the authority granted to me by the Declaration of Emergency issued by Governor DeSantis in Executive Order 20-52, by Chapter 252, Florida Statutes, by the Board of County Commissioners, and by the Broward County Comprehensive Emergency Management Plan, hereby order as follows:

Section 1. Emergency Order 20-01, as amended by Emergency Order 20-03, is hereby replaced in its entirety with this Emergency Order 20-06.

Section 2. The Governor's Executive Order 20-89 requires Broward County to restrict public access to business and facilities deemed nonessential under Miami-Dade Emergency Order 07-20. The Governor's subsequent Executive Order 20-91 orders that all persons in Florida limit their movements and personal interactions outside of their homes to only those necessary to obtain or provide essential services or conduct essential activities. Pursuant to the requirements of the Governor's Executive Order 20-89, Broward County is hereby restricting all public access to businesses and facilities deemed nonessential under Miami-Dade Emergency Order 07-20. This order is in addition to, and subject to, the provisions of the Governor's Executive Order 20-91.

Section 3. Broward County hereby adopts the list of essential services established by the Governor pursuant to the Governor's Executive Order 20-91, including as may be modified pursuant thereto. Except as otherwise stated in Section 4 below, Broward County hereby orders closed all nonprofit, retail, and commercial establishments that are not (a) essential services pursuant to Executive Order 20-91, or (b) essential businesses pursuant to Miami-Dade Emergency Order 07-20.



Section 4. All businesses providing essential services are strongly encouraged to:

- a. Provide alcohol-based hand sanitizers for use by customers and employees;
- b. Provide disinfecting wipes at points of entrance, cash registers, and/or other appropriate locations for customers to disinfect carts, shopping baskets, and point of sale terminals; or, alternatively, designate staff responsible for disinfecting carts, shopping baskets, and points of sale terminals after each customer use; and
- c. Implement procedures for custodial or janitorial staff to sanitize frequent touchpoints through the day, including point of sale terminals at registers, conveyor belts, door handles, door plates, shelves, and other appropriate locations.

Section 5. Nothing in this Emergency Order prohibits nonessential services solely to the extent necessary to perform Minimum Basic Operations, provided such entities practice, and ensure persons interacting with and within such entities practice, social distancing and all other measures as advised by the CDC, including keeping six (6) feet between persons and limiting group size to less than ten (10) people. "Minimum Basic Operations" means the minimum activities necessary to maintain the value of inventory, preserve plant and equipment condition, ensure security, process payroll and employee benefits, and facilitate employees working remotely. While the County is not prohibiting the performance of Minimum Basic Operations, believing that such performance is necessary for essential purposes including to facilitate the remote operation of essential and nonessential services, it is hereby noted that such activity may not be expressly authorized by Executive Order 20-91.

Section 6. 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 7. Except as otherwise provided or required by any applicable Executive Order, this order does not affect or limit the operations of Broward County, any public utility, any municipality, the Broward County School District, the North Broward Hospital District, the South Broward Hospital District, any other local government entity in Broward County, or any State or federal office or facility.

Section 8. Applicability; Severability.

This Emergency Order shall apply to entities based upon their regular course of services as of March 21, 2020; any change to an entity's scope of services after March 21, 2020, shall not modify the characterization of the entity as essential or nonessential. This Emergency Order applies to incorporated and unincorporated areas within Broward County, but has no application outside of Broward County. 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, 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 9. Effective Date; Duration.

This order shall be effective as of 12:01 a.m. on Friday, April 10, 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.

BROWARD COUNTY, FLORIDA

By:   
Bertha Henry  
County Administrator

RECEIVED AND FILED in the Records, Taxes and Treasury Division on this 9 day of April, 2020, at 4:45 p.m.

