

**CITY OF WESTON, FLORIDA  
EMERGENCY ORDER NO. 2020-10**

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

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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, on April 10, 2020, Donald P. Decker, as City Manager, entered Emergency Order No. 2020-09, superseding Emergency Order No. 2020-08, and requiring employees and customers of essential businesses as well as delivery service personnel to wear cloth facial coverings while inside the businesses or making deliveries, and adopting and incorporating Broward County Emergency Order 20-06.

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

Section 1: Adoption of Broward County Emergency Order 20-08. Broward County Emergency Order 20-08, attached hereto as Exhibit 1, is hereby adopted by the City of Weston and incorporated herein. The requirements set forth in Broward County Emergency Order 20-08 are minimum standards, and are supplemented by the additional requirements provided in this order as authorized by Broward County Emergency Order 20-08.

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Section 2: Parks

Section 2(A): All City parks, other than Weston Regional Park, Tequesta Park and Vista Park, may be open to public access on a limited basis during the hours of 8:00 AM to 6:00 PM, subject to the limitations set forth in Broward County Emergency Order 20-08. The restrooms, playgrounds, outdoor exercise equipment and drinking fountains at all City parks shall remain closed.

Section 2(B): All private parks in the City may be open to public access on a limited basis, subject to the limitations set forth in Broward County Emergency Order 20-08, and subject to Section 2(A) herein and as further determined by the party that governs said private park.

Section 3: Recreational Facilities.

Section 3(A): Emergency Order No. 2020-07 shall be amended as follows:

Section 1: All pools, hot tubs, ~~golf courses, tennis courts,~~ basketball courts, fitness centers, gymnasiums and other common use recreational facilities, whether of a commercial or non-commercial nature, are closed for all purposes. Notwithstanding the foregoing, this order does not apply to sidewalks, streets and common mailboxes. In addition, notwithstanding the foregoing, this order does not apply to any pool, hot tub, tennis court, basketball court, fitness center, gymnasium or other recreational facility located: a) on a single family residential lot, or, b) at any townhouse, duplex, or villa, and which is for exclusive recreational or leisure use of the inhabitants of such individual dwelling unit.

Section 3(B): Tennis courts and golf courses may be open to public access on a limited basis, subject to the limitations set forth in Broward County Emergency Order 20-08.

Section 4: Facial Coverings: Emergency Order No. 2020-09 shall be amended to add the following subsection:

Section 1(l) Facial coverings should not be placed on young children under the age of two, and are not required to be worn by persons who otherwise have difficulty breathing, or by food service employees when doing so would pose a hazard or health issue. Additionally, the facial covering requirements shall not apply to the extent subject to a religious objection.

Section 5: All prior City Emergency orders are superseded to the extent that they conflict with any provision of this Order.

Section 6: This Order shall remain in place as long as the State of Local Emergency is in effect, as amended and extended.

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Section 7: 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.

Section 8: 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 9: 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 10: This Order shall take effect immediately.

DECLARED this 29<sup>th</sup> day of April 2020, at 11:45 AM.

  
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Donald P. Decker, City Manager

ATTEST:

  
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Patricia A. Bates, MMC, City Clerk