

EMERGENCY ORDER 2020-08

CLOSURE OF CITY-OWNED PARKS, PLAYGROUNDS, SWIMMING POOLS AND RELATED AMENITIES; RESTRICTED ACCESS TO CITY HALL, HOURS OF OPERATION AND STAFFING FOR CERTAIN CITY DEPARTMENTS

On March 1, 2020, the Honorable Ron DeSantis, Governor of the State of Florida declared a Public Health Emergency as a result of COVID-19.

On March 9, 2020, Governor DeSantis issued Executive Order 20-52, declaring a State of Emergency as a result of COVID-19.

During the period between March 10, 2020 and March 13, 2020, Broward County Government, Miami-Dade County Government, and Palm Beach County Government each declared a Local State of Emergency for the incorporated and non-incorporated areas of each respective county.

On March 11, 2020, the World Health Organization declared the spread of COVID-19 to be a global pandemic.

On March 12, 2020, a State of Emergency was declared in the City of Lauderdale Lakes by the City Mayor as a result of the Novel Coronavirus Disease 2019 ("COVID-19"), which was effectively reaffirmed and ratified on March 17, 2020 pursuant to the City Commission's adoption of Resolution 2020-020 and Resolution 2020-021.

On March 27, 2020, Phil Alleyne, as City Manager of the City of Lauderdale Lakes ("City"), Florida executed Emergency Order 2020-01 directing a Safer At Home Order to City residents and visitors, and also applicable to the conduct and performance of essential business activities and services, and further requiring social distancing and limitations on gatherings, employee screening, and employer cleaning protocols.

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.

On April 1, 2020, Governor DeSantis issued Executive Order Number 20-91, which among other things, directed the State Surgeon General and State Health Officer to issue a public health advisory urging the public to avoid all social or recreational gatherings of 10 or more people and urging those who can work remotely to do so.

Beginning on April 29, 2020, Governor DeSantis issued a series of Executive Orders including Executive Orders 20-112, 20-120, and 20-123, establishing Phase 1 of a step-by-step plan for Florida's recovery (initially excluding Broward, Miami-Dade and Palm Beach Counties) and permitting certain additional activities for individuals.

On April 28, 2020, in coordination with the Broward County municipalities and adjoining Miami-Dade and Palm Beach Counties, Broward County Administrator Bertha Henry issued Broward County Emergency Order 20-08, as amended, which effectively re-opened certain parks, golf courses, and other recreational facilities in Broward County, pursuant to the specific guidelines.

On April 29, 2020, Governor DeSantis issued Executive Order 20-112, as amended, implementing the Phase 1 of the Safe, Smart, Step-by-Step Plan for Florida's recovery (albeit not including Palm Beach, Broward and Miami-Dade Counties) by adding certain other additional services and activities to those previously permitted under Executive Order 20-91, subject to certain capacity and other limitations, including adherence to CDC guidelines.

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

On May 14, 2020, the Broward County Administrator executed Emergency Order 20-10 (the "County Phase 1 Order") providing for a Phase 1 re-opening of certain additional businesses, services and activities for Broward County.

On May 16, 2020, the Broward County Administrator executed Emergency Order 20-11, particularly intended to preserve and retain the County's ability to limit and/or condition the re-opening of additional facilities in order to protect the health, safety and welfare of Broward County residents, by including, among other things, a restatement and acknowledgement that municipalities may establish more stringent standards within their jurisdiction, to the extent permitted by law.

On May 20, 2020, I issued Emergency Order 20-07 in order to provide for the implementation of community mitigation strategies to mitigate against the spread of the COVID-19 viral pandemic virus by a coordinated governmental emergency management response, including necessary emergency directives and enforcement of adherence to CDC applicable guidelines to protect the lives, health, welfare, and safety of the City's residents, visitors, employee, businesses and neighboring communities from the devastating impacts of the COVID-19 pandemic.

Beginning on May 21, 2020, the Broward County Administrator issued a series of Emergency Orders including Emergency Orders 20-12, 20-13, 20-14, 20-15, and 20-16, permitting certain establishment to operate in Broward County and established procedures and requirements for the safe operation of open businesses, amenities and services.

On July 8, 2020, the Broward County Administrator issued Emergency Order 20-21, which among other things found it necessary to close certain establishments that pose threats of continued increase in community spread of COVID-19 and to impose additional requirements for establishments within the County.

Over the past three weeks, Broward County and the State of Florida have experienced a material upward trajectory of positive reported cases, and a sustained exponential increase in positivity rates for the Corona virus disease (COVID-19), which have threatened overcapacity of the County's community health services including ICU resources which now poses a substantial risk to public health and safety.

Pursuant to Section 252.38(3) and 252.46, *Florida Statutes* and Section 1.01, Section 2-212 of the Charter of the City of Lauderdale Lakes, as well as Article IV, Section 2-121, City Code of Ordinances, the City has the power to issue emergency orders with the force of law. The City Manager, pursuant to Section 3 of Resolution 2020-020 is authorized to issue Emergency Orders.

IT IS HEREBY ORDERED:

Section 1. Jurisdictional Limits of Emergency Order:

This Emergency Order applies to the corporate limits of the City of Lauderdale Lakes, and has no application outside the City of Lauderdale Lakes.

Section 2. Adoption and Incorporation of Broward County Emergency Order 20-21

The City of Lauderdale Lakes hereby adopts and incorporates the Broward County Administrator's Emergency Order 20-21, specifically including without limit, the facial covering requirements prescribed in Section 3 of said Emergency Order, as modified or amended from time to time, as if fully set forth herein. A copy of the BC Emergency Order 20-21 is attached hereto as **Exhibit A**.

Section 3. City-Owned Parks, Playgrounds, Swimming Pools and Related Amenities.

Pursuant to City of Lauderdale Lakes Emergency Order 2020-03, City-owned parks (including walking trails and passive parks), playgrounds, swimming pools and related amenities shall remain closed until further notice.

Section 4. Restrictions on Access to City Hall, Hours of Operation & Staffing for Development Services Department and Public Works Department.

The City Hall building facility will have restricted access to the public until further notice. The hours of operation for the Development Services Department shall be from Monday through Thursday, from 8:30 AM to 4:30 PM until further notice. The Public Works Department shall operate on minimum staffing schedule until further notice.

Section 5. Applicability and Severability:

This Emergency Order supersedes any contrary provision and previous City of Lauderdale Lakes Emergency Orders. Except as superseded, or amended, all City of Lauderdale Lakes Emergency Orders shall remain in full force and effect.

Section 6. Supplemental Effect.

This Emergency Order is in addition to, and supplements, the City's previous Emergency Orders. All requirements of the City's previous Emergency Orders, or Broward County's Emergency Order and Executive Orders issued by the State Government shall be strictly adhered to at all times.

Section 7. Severability:

This Emergency Order supersedes any contrary provision in any prior City of Lauderdale Lakes Emergency Order. Any provision(s) within this Emergency Order that conflict(s) with any state or federal law or constitutional provision, or conflicts(s) with or are superseded by any current or subsequently issued Executive Order of the Governor or the President of the United States, or Broward County 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.

Section 8. Enforcement:

This Emergency Order may be enforced by the Broward Sheriff's Office, as the City's law enforcement agency, or other law enforcement agencies, including municipal law enforcement agencies, code enforcement officers, and other personnel as provided for in the City of Lauderdale Lakes Code of Ordinances against any person or entity violating any provision of this Emergency Order. A violation of this Emergency Order shall be prosecuted in the same manner as misdemeanors are prosecuted, including fines not to exceed \$500 per violation.

Section 9. Effective Date:

This Emergency Order is effective as of 12:01 a.m. on July 17, 2020 and shall remain in full force and effect and shall expire upon the expiration of the existing State of Local Emergency, as the same may be extended by subsequent Order or Declaration, unless earlier terminated by subsequent Emergency Order.

CITY OF LAUDERDALE LAKES, FLORIDA

BY:  _____

PHIL ALLEYNE,
CITY MANAGER

RECEIVED AND FILED with the City Clerk of the City of Lauderdale Lakes, Florida on this 16th day of July, 2020 at 8:00 a.m.