

EMERGENCY ORDER 2020-06

RECREATIONAL POOL AMENITIES

On April 30, 2020, I executed Emergency Order 2020-05 relating to parks, recreational amenities, housing developments and congregate housing facilities.

Section 4 of the Emergency Order 2020-05 requires amendment to clarify the intent and application of said order.

This Emergency Order is necessary 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, which includes 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 this pandemic.

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. Closure of Pool, Pool Decks and Other Recreational Pool Amenities. Section 4 of Emergency Order 2020-05 is hereby amended as provided herein, with ~~strikethrough~~ text indicating deletions and underlined text indicating additions:

Closure of Pool, Pool Decks and Other Recreational Pool Amenities

(a) All pool decks and pools located within the City of Lauderdale Lakes, whether of a commercial or non-commercial nature (collectively "Recreational Pool Amenities"), ~~including such pool or pool decks in multifamily housing development, condominium developments, hotels, or single family homeowner associations (collectively and hereinafter referred to as "Housing Developments")~~ shall remain closed pursuant to Broward County Emergency Order 20-08 and ~~are hereby closed~~, except as expressly provided for in the subsection (b) below.

(b) The closure of Recreational Pool Amenities, as set forth in subsection (a) does not apply to Recreation Pool Amenities that are (i) required for the conduct of an essential service, as defined by the Governor’s Executive Order Number 20-91, as amended; or (ii) located on a single family residential lot, a single town house unit, or any part of a duplex lot, so long as the Recreational Pool Amenity is utilized only by the inhabitants of that lot or unit; or (iii) pool decks or pools in multi-family housing developments, condominium developments, condominium hotels or single-family homeowner associations (collectively, “housing developments”) provided the pool deck and pools are used only by current residents of the housing development; six (6) foot social distancing CDC guidelines are adhered to; pool decks and pool occupancy are limited to no greater than 50% capacity; and either:

1. the use of the pool deck and pool are supervised by a sufficient number of employees or other person(s) designated by the housing development during the hours in which they are used to ensure compliance with the requirements of this section, and employees or other designees of the housing development sanitize the facility’s pool chairs, railings, gates, tables, showers, and other equipment at the pool and pool deck on a regular basis;

or

2. All furnishings are removed from the pool deck.

Any use of pool decks or pool areas that deviate from the CDC guidelines or these requirements remain prohibited.

Section 3. Applicability. This Emergency Order supersedes any contrary provision in previous City of Lauderdale Lakes Emergency Orders. Except as superseded, all City of Lauderdale Lakes Emergency Orders remain in full force and effect.

Section 4. Violations. Any violation of any rule or regulation issued and set forth herein shall be punishable as provides in Ch. 252, F.S. and the City's Code of Ordinances.

Section 5. Supplemental Effect. This Order is in addition to, and supplements, the City's Emergency Orders. All requirements of the City’s Emergency Orders, or Broward County’s Emergency Orders, and the State of Florida’s Executive Orders shall be strictly adhered to at all times.

Section 6. Enforcement. This Order may be enforced by City or Broward County law enforcement personnel through issuance of Notices to Appear or arrest, pursuant to the provisions of Chapter 252, Florida Statutes, and other applicable state, County and City laws, rules and regulations, or through the issuance of Notices of Violation pursuant to applicable provisions of Florida law, Chapter 162, Florida Statutes, and the City Code of Ordinances.

Section 7. Severability. Any provision(s) within this Emergency Order that conflict with any state or federal law or constitutional provision, or that conflict with or are superseded by a current or subsequently issued Executive Order of the Governor or the President of the United States or the County Administrator of 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. Effective Date. This Emergency Order is effective as of 12:01 a.m. on May 4, 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 4th day of May, 2020 at 10:00 a.m.