

City of Wilton Manors

2020 Wilton Drive • Wilton Manors, Florida 33305 • (954) 390-2120 • FAX (954) 390-2199



Life's Just Better Here

Tom Green
Vice Mayor

Julie A. Carson
Commissioner

Gary Resnick
Commissioner

Paul Rolli
Commissioner

Leigh Ann Henderson
City Manager

Kerry Ezrol
City Attorney

CITY OF WILTON MANORS

EMERGENCY ORDER 2020-011

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, including the City of Wilton Manors; and

Whereas, on March 1, 2020, Governor DeSantis declared a Public Health Emergency as a result of the Novel Coronavirus Disease 2019 ("COVID-19"), and on March 9, 2020, Governor Ron DeSantis signed Executive Order No. 20-52, thereby declaring a State of Emergency as a result of COVID-19; and

Whereas, on March 10, 2020, Broward County Administrator Bertha Henry declared a state of emergency in Broward County; and

Whereas, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a global pandemic; and

Whereas, on March 13, 2020, President Trump declared a national emergency concerning 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 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; and

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Whereas, on March 12, 2020 a State of Emergency was declared in the City of Wilton Manors relating to COVID-19; and since the outbreak of COVID-19 numerous local governments and multiple states have adopted various versions of “stay at home” and “safer at home” orders. These orders are designed to protect the health and well-being of the community, to create social distancing, and to minimize contact in an effort to limit community spread of COVID-19; and

Whereas, on March 27, 2020, City Manager Leigh Ann Henderson issued Emergency Order 2020-03 (Safer at Home) directing residents to stay at home; and

Whereas, 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; and

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; and

Whereas, on April 9, 2020, Broward County Administrator Bertha Henry issued Broward County Emergency Order 20-06, as required by the Governor’s Executive Order 20-89, restricting public access to businesses and facilities deemed nonessential pursuant to the guidelines established by Miami-Dade County Emergency Order 07-20, as modified by amendments prior to March 30, 2020 (collectively, the “Miami-Dade Emergency Order 07-20”); and

Whereas, on April 28, 2020, as part of a coordinated effort with the local municipalities and the adjoining counties, Broward County Administrator Bertha Henry reopened certain parks, golf courses, and other recreational facilities in Broward County pursuant to the guidelines in Broward County Emergency Order 20-08, as amended; and

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Whereas, on April 29, 2020, Governor DeSantis issued Executive Order 20-112, as amended, establishing Phase 1 of a step-by-step plan for Florida's recovery, and adding (for counties other than Broward, Miami-Dade, and Palm Beach Counties) certain additional services to the activities previously permitted for individuals under Executive Order 20-91, including on-premises consumption of food and beverage at restaurants, operation of in-store retail, and opening of museums and libraries (if permitted by the local government), subject to a twenty-five percent (25%) capacity limitation and certain other limitations; and

Whereas, on May 8, 2020, Governor Ron DeSantis issued Executive Order No. 20-114 extending the state of emergency declared in Executive Order 20-52 until July 7, 2020; and

Whereas, on May 9, 2020, Governor DeSantis issued Executive Order 20-120, authorizing licensed professionals including barbers and cosmetologists to provide personal services as part of Phase 1; and

Whereas, on May 14, 2020, Governor DeSantis issued Executive Order 20-122 permitting Broward County to participate in the Phase 1 reopening identified in Executive Order 20-112, Executive Order 20-120, and any future orders pertaining to Phase 1; and

Whereas, on May 14, 2020, Governor DeSantis issued Executive Order 20-123 extending and modifying Executive Order 20-112, as modified by Executive Order 20-120, bringing all Florida Counties into Full Phase 1; and

Whereas, on May 14, 2020, Broward County Administrator Bertha Henry issued Emergency Order 20-10 in coordination with the local communities to take measured steps to participate in the Phase 1 reopening in Broward County; and

Whereas, on May 15, 2020, City Manager Leigh Ann Henderson issued Emergency Order 2020-007, to take measured steps to participate in the Phase 1 reopening in Broward County; and

Whereas, on May 21, 2020, Broward County Administrator Bertha Henry issued Emergency Order 20-12 which outlines the establishments currently permitted to operate in Broward County, and permits a customized approach to

reopening Broward County that incorporates guidelines and requirements for safe operations for opened businesses and services; and

Whereas, on May 21, 2020, City Manager Leigh Ann Henderson issued Emergency Order 2020-08, to continue taking measured steps to participate in the Phase 1 reopening in Broward County in accordance with Broward County Emergency Order 20-12; and

Whereas, on May 22, 2020, Broward County Administrator Bertha Henry issued Emergency Order 20-13 permitting the reopening of beaches, commercial gyms and fitness centers, and hotels and other commercial lodging; and

Whereas, on May 25, 2020, City Manager Leigh Ann Henderson issued Emergency Order 2020-09, to continue taking measured steps to participate in the Phase 1 reopening in Broward County in accordance with Broward County Emergency Order 20-13; and

Whereas, on May 29, 2020, Broward County Administrator Bertha Henry issued Emergency Order 20-14 which further addresses Phase 1 reopening guidelines to slightly expand beach activities, clarify the use of community rooms, allow for doubles racquet sports, expand massage establishment services beyond those medically necessary and allow tattoo establishments to open; and

Whereas, in accordance with section 4. D. of Governor Ron DeSantis' Executive Order No. 20-52, the City of Wilton Manors is authorized to waive the procedures and formalities otherwise required by law; and

Whereas, on March 17, 2020, the City Commission issued Emergency Order 2020-001 which, among other things, delegated to City Manager Leigh Ann Henderson the authority to issue further emergency orders until April 30, 2020; and

Whereas, the City Commission of the City of Wilton Manors met on April 28th and passed a motion to extend the delegation of authority to the City Manager to issue emergency orders until May 31, 2020; and

Whereas, the City Commission of the City of Wilton Manors met on May 26th and passed a motion to extend the delegation of authority to the City Manager to issue emergency orders until expiration or termination of the Governor's State of Emergency, as may be extended; and

Whereas, Pursuant to the City Charter, Chapter 252, *Florida Statutes*, Chapter 19 of the City's code of ordinances, the delegation of authority from the City Commission, the delegation of authority granted by the Declaration of Emergency issued by Governor DeSantis in Executive Order 20-52, the City of Wilton Manors Comprehensive Emergency Management Plan, and all other applicable laws, the City Manager has the authority to issue emergency orders with the force of law **IT IS HEREBY ORDERED:**

Section 1. Adoption of Broward County Administrator's Emergency Order 20-14.

The City of Wilton Manors hereby adopts Broward County Administrator's Emergency Order 20-14 as if fully set forth herein. A copy of the Order is attached hereto as Exhibit 1.

Section 2. Enforcement.

City of Wilton Manors Police Department, other law enforcement agencies, including municipal law enforcement agencies, code enforcement officers, and other personnel as provided for in the City of Wilton Manors Code of Ordinances, are authorized to enforce this Emergency Order against any person or entity violating any provision of this Emergency Order. Violations of this Emergency Order shall be prosecuted in the same manner as misdemeanors are prosecuted, including fines not to exceed \$500 per violation.

Section 3. Applicability; Severability.

This Emergency Order supersedes and replaces any contrary provision in any prior City of Wilton Manors Emergency Order. Except as superseded, all City of Wilton Manors Emergency Orders remain in full force and effect. Although the businesses and entities specified in this Emergency Order may open subject to the guidelines set forth herein, no business or entity is required to reopen if such business or entity does not wish to do so or believes it cannot do so safely. 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, or Broward County solely to the extent such Executive Order (a) expressly preempts the substance of the Emergency Order or (b) imposes stricter closures than set forth herein, 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

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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 4. Effective Date; Duration.

This order shall be effective as of 12:01 a.m. on June 1, 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.

ORDERED ON AND FILED WITH THE CLERK OF THE CITY OF WILTON MANORS ON May 31, 2020.



Leigh Ann Henderson, City Manager