

# DECLARATION OF EMERGENCY REGULATIONS

**(Pursuant to COVID-19 State of Emergency - March 18, 2020)**

## **Order # 20-01**

WHEREAS, the Town of Davie has declared a Local State of Emergency pursuant to Resolution 2020-080 and consistent with Chapter 252, Florida Statutes, effective March 13, 2020;

WHEREAS, the Town Council and Mayor gives the Town Administrator emergency powers described in the Town of Davie Code of Ordinances, Chapter 28 – Emergency Management;

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and other potential methods, and presents symptoms similar to those of influenza;

WHEREAS, in December of 2019, a new and substantial outbreak of COVID-19 emerged in Wuhan, China, and has spread throughout the World, including the United States, and more specifically Broward County in the State of Florida;

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared COVID-19 a pandemic;

WHEREAS, the Centers for Disease Control and Prevention (CDC) is predicting that it is likely that widespread transmission of COVID-19 will also occur in the United States;

WHEREAS, the Town of Davie is threatened by COVID-19 because of the apparent ability of the virus to spread rapidly among humans and overwhelm health system capacities;

WHEREAS, COVID-19 thereby constitutes a clear and present threat to the health, safety, and welfare of the citizens and visitors of the Town of Davie;

WHEREAS, the CDC has issued guidelines for "community mitigation strategies" to limit the spread of COVID-19, including recommendations for social distancing, which has proven to be an effective method for containing COVID-19;

WHEREAS, on March 9, 2020, Governor DeSantis issued Executive Order Number 20-52 regarding COVID-19, declaring a state of emergency in the State of Florida, and authorizing in accordance with Section 252.38, Florida Statutes, each political subdivision within the State to "waive the procedures and formalities otherwise required of the political subdivision by law pertaining to the performance of public work and

taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;"

WHEREAS, pursuant to Section 1, and 6(a), of the Charter of the Town of Davie, Florida and Town of Davie Code of Ordinances Chapter 28 – Emergency Management gives the Town Council and Mayor the authority to declare a Local State of Emergency, existing since March 13, 2020, and, the Town Administrator authority to mandate the closing of establishments.

WHEREAS, the Federal government is recommending that persons do not participate in gatherings of more than ten people;

WHEREAS, minimization of contact is necessary to avoid risk of COVID-19 infection for the residents of the Town; and

WHEREAS, gathering places and entertainment facilities, such as, but not limited to dance halls, concert halls, movie theaters, banquet halls, cabarets, breweries, gyms and bowling alleys increase the potential for the spread of COVID-19.

**NOW, THEREFORE**, I, Richard J. Lemack, Town Administrator of the Town of Davie, Florida, pursuant to the authority vested in me by the laws of the State of Florida and the Town of Davie, do hereby declare and establish that:

1. All dance halls, concert halls, movie theaters, banquet facilities, auditoriums, bowling alleys, video arcades, gymnasiums, fitness studios and other similar type entertainment facilities and businesses, including but not limited to those contained within a hotel or other enclosed facility or structure, shall close at 11:59 PM, March 18, 2020. This order shall not apply to and gymnasiums or fitness centers which are: (i) amenities of hotels and which have a capacity for 10 persons or less, (ii) are an amenity of residential developments, (iii) are interior to any fire or police stations, or (iv) are located inside any single-occupant office building. Employees, janitorial personnel, contractors, and delivery personnel shall be allowed access to such establishments.
2. This order shall expire upon the expiration of the existing Town of Davie Local State of Emergency.
3. This emergency order shall be amended as necessary by the Town Administrator.
4. All citizens and visitors of the Town of Davie are directed to comply with these emergency regulations and necessary measures, which shall be strictly enforced, and to cooperate with public officials and public safety personnel in executing any emergency operational plans, and to obey and comply with the lawful direction of all properly identified public officers.

5. Any violation of any rule or regulation issued and set forth herein shall be punishable as provided in Florida Statutes Chapter 870, Section 1, and 6(a), of the Charter of the Town of Davie, Florida and Town of Davie Code of Ordinances, Chapter 28 – Emergency Management, Town of Davie.

ISSUED THIS 18th DAY OF MARCH 2020, DAVIE, BROWARD COUNTY, FLORIDA.

BY:

  
Richard J. Lemack, Town Administrator

ATTEST:

  
Town Attorney's Office