

EMERGENCY PROCLAMATION 20-04

AN EMERGENCY PROCLAMATION BY THE MAYOR OF THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, IMPOSING A SAFER AT HOME ORDER AND SAFETY STANDARDS.

On March 4, 2020, a Public Health Emergency was proclaimed in the City of Pompano Beach by Mayor Rex Hardin relating to the Novel Coronavirus Disease 2019 (“COVID-19”), and subsequently re-declared on March 4, 2020, March 11, 2020, and March 18, 2020.

Since the outbreak of COVID-19 numerous local governments and multiple states have adopted various versions of “shelter in place” 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.

As of today, the City is aware of confirmed cases of COVID-19 in the jurisdictional boundaries of the City of Pompano Beach. To limit the potential community spread of COVID-19, it is now necessary for the City of Pompano Beach to implement restrictions for the general health, safety, and welfare of the community.

Pursuant to Section 252.38(3) and 252.46, *Florida Statutes*, Beach, and Sections 94.01, and 94.03 of the City of Pompano Beach Code of Ordinances, the City has the power to issue emergency Proclamations with the force of law. The Mayor has expressly been authorized to issue Emergency Proclamations.

BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF POMPANO BEACH, FLORIDA, THAT:

SECTION 1. Each resident is hereby ordered to stay home and within the entirety of their owned or rented property. The order to stay at home does not require residents to confine themselves to the interior of their homes. Residents may make use of all exterior portions of their homes such as patios, porches, yards, and driveways. Residents may also leave their place of residence and travel to another place in accordance with Section 3, below.

SECTION 2. Unless a person has a Permissible Use as provided for in Section 3, below, no person shall travel or be on or upon any public right of way, including but not limited to, public or private beaches, streets, canals, or sidewalks, within the boundaries of the City of Pompano Beach.

SECTION 3. Permissible Use. Notwithstanding Section 1 and 2, all residents and visitors in the City may lawfully engage in the following activities:

- (1) **Essential Businesses.** Residents and visitors may engage in travel to Essential Businesses and provide minimum basic operations to non-essential businesses as identified in Broward County Emergency Orders 20-01 and 20-02, as further refined in Broward County Emergency Order 20-03; and as may be amended or extended. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open.
- (2) **Emergency Assistance.** Residents and visitors may engage in travel and similar activities to obtain assistance from law enforcement, fire-rescue, or other emergency services.
- (3) **Personal Support Activities.** Residents and visitors may travel to and from their homes to care for or support a friend, companion, family member, pet or livestock, support groups, or a vulnerable person.
- (4) **Work in Support of Essential Businesses.** Residents and visitors in the City may continue to perform work for and in support of businesses authorized to be open to the public in accordance with Broward County Emergency Order 20-01, 20-02, and 20-03, and any local government, the State government, or the Federal government.
- (5) **Outdoor Recreational Activities.** In areas not otherwise closed by a separate Emergency or Executive Order, residents may engage in outdoor activity and recreation while staying six (6) feet apart from another person or group of people, and so as long as residents are in compliance with size of public gatherings as defined in Section 7 below.
- (6) **Religious Activities.** Residents and visitors may travel to and from places of worship. Places of worship must comply with Social Distancing Requirements as defined in Section 4 below, to the greatest extent feasible and the size of public gatherings as defined in Section 7 below. Places of worship are encouraged to livestream their services in lieu of in-person gatherings.
- (7) **Government Employees and Emergency Personnel.** All first responders, gang and crisis intervention workers, public health workers, emergency management personnel, emergency dispatchers, law enforcement personnel and related contractors, persons working for emergency service providers, and government employees performing work in the course and scope of their employment are categorically exempt from this Order.
- (8) **Public Transit.** Public transit may be used for the above listed activities. People riding on public transit must comply with Social Distancing Requirements as defined in Section 4 below, to the greatest extent feasible.

SECTION 4. Social Distancing Requirements. A person in a public space shall:

- (1) Practice social distancing by staying at least 6 feet away whenever practicable from another person, excluding immediate family members, caretakers or, household members;

- (2) Cover all coughs and sneezes with their elbow or tissue;
- (3) Not shake hands;
- (4) Not enter any public place if the person exhibits any flu or COVID-19 like symptoms and/or has a fever over 99.9 degrees Fahrenheit unless that person is traveling to or from a hospital, doctor's office, urgent care, walk-in clinic, or pharmacy;
- (5) If a person is exhibiting flu or COVID-19 like symptoms or has a fever over 99.9 degrees Fahrenheit and is seeking medical treatment, the person shall first contact their medical provider by phone before appearing at the medical provider's office; and
- (6) If a person is exhibiting flu or COVID-19 like symptoms or has a fever over 99.9 degrees Fahrenheit and requires a prescription or a refill thereof and the pharmacy has a drive-thru window and/or delivery service, that person shall utilize the drive-thru window and/or delivery service to receive their medication.

SECTION 5. Essential Businesses Employee Screening. For those businesses deemed to be an Essential Business, as set forth above, these facilities shall implement employee screening and prohibit any employee from entering the premises if they affirmatively answer any of the below questions, as recommended by the Center for Disease Control and Prevention (CDC):

- (1) Have you returned from international travel (anywhere outside the United States) or been on a cruise within the last 14 days?
- (2) Have you been in contact with anyone who has returned from international travel or been on a cruise within the last 14 days?
- (3) Have you been in any gathering of 50 people or more in the last 14 days?
- (4) Have you traveled through any airport within the past 14 days?
- (5) Have you traveled to any area known to have high numbers of positive cases of COVID-19, including but not limited to California, Washington, New Jersey, New York, Connecticut, Massachusetts, or Washington D.C. within the past 14 days?
- (6) Have you experienced signs or symptoms of COVID-19, such as fever over 99.9 degrees Fahrenheit, cough or shortness of breath?

SECTION 6. Essential Businesses Cleaning Protocols. For those businesses deemed to be an Essential Business, as set forth above, these facilities must make every effort to:

- (1) Provide disinfectant wipes or equivalent for shopping carts and baskets or disinfect shopping carts and baskets after each use.
- (2) Disinfect hourly, at a minimum all check out areas, including but not limited to, conveyor belts, cash registers, and credit card areas.
- (3) Disinfect after closing or before opening all areas of the business that customers may touch or come into contact.
- (4) Require employees or independent contractors present to wash and/or disinfect their hands at least once per hour.
- (5) Clean and disinfect any pen, stylus or screen used to sign receipts after each customer or waive the need to sign a receipt.
- (6) Ensure that no more than 10 people, including staff, are gathered in any particular area of the Essential Business.
- (7) Ensure that customers at checkout are separated by at least 6 feet.

- (8) Disinfect all door handles used by the general public at least hourly during business hours.
- (9) Essential Businesses with waiting rooms must ensure that no person shall be seated within 6 feet of another person and all seats must be disinfected after each use.
- (10) Do not allow more than 25% of their approved maximum capacity into any location.

SECTION 7. Limit on Gatherings. All gatherings of 10 or more people shall be prohibited except for those identified in Section 3 above. Social Distancing Requirements must be observed.

SECTION 8. Homelessness. Individuals experiencing homelessness are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to utilize Social Distancing Requirements in their operation).

SECTION 9. Exceptions for Utilities and Government Personnel. Nothing in this Order shall be construed to limit or restrict movement or use of the public rights of way for use by other local governments, the state government, and federal government or their employees, and utility providers and contractors while engaged in their duties.

SECTION 10. This Proclamation is in addition to, and supplements, the City's Proclamations of a State of Emergency, County Emergency Orders, and State of Florida Executive Orders and shall be strictly adhered to at all times. This Proclamation may be enforced by City law enforcement personnel through issuance of Notices to Appear, pursuant to the provisions of Chapter 252, Florida Statutes, Section 94.04 of the City's Code of Ordinances punishable under Section 10.99, as well as other applicable State, County and City laws, ordinances, rules and regulations, or through the issuance of Code Violations and Notices of Violation pursuant to applicable provisions of Florida law, Chapter 162, Florida Statutes, and City Code.

SECTION 11. This Emergency Proclamation is effective as of 12:01 a.m. on March 28, 2020, and shall remain in full force and effect until terminated.

PROCLAIMED at 2:09 P.M. hours this the 27th day of March 2020.



REX HARDIN

for 

ASCELETA HAMMOND

MEB:jrm
3/27/2020
L:proclamation/emergencyorder

