



**AMENDMENT TO MARCH 20, 2020 UPDATED
LOCAL DECLARATION OF PUBLIC EMERGENCY
TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA**

May 18, 2020

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

WHEREAS, on March 2, 2020, Governor DeSantis issued Executive Order 20-51, directing the Florida Department of Health to issue a Public Health Emergency; and

WHEREAS, on March 13, 2020, the Mayor declared a public emergency in the Town for seven days unless earlier terminated; and

WHEREAS, on March 17, 2020, the Governor issued Executive Order 20-68, requiring that all licensees authorized to sell alcoholic beverages for consumption on premises that derive more than 50% of its gross revenue from the sale of alcoholic beverages suspend all sale of alcoholic beverages for 30 days from March 17, 2020; and

WHEREAS, Executive Order 20-68 directs parties accessing public beaches to follow CDC guidelines by limiting their gathering to no more than 10 people and distance themselves from other parties by 6 feet, and supports the closure of beaches by local municipalities; and

WHEREAS, additionally, Executive Order 20-68 ordered that all restaurants limit occupancy to 50% of their current building occupancy and follow the CDC guidelines ensuring, at a minimum, a 6-foot distance between any group of patrons and limiting parties to no more than 10 individuals; and

WHEREAS, on March 18, 2020, the Mayor issued an updated local declaration of public emergency, closing all Town beaches; requiring all licensees authorized to sell alcoholic beverages for consumption on premises that derive more than 50% of its gross revenue from the sale of alcoholic beverages to close; and requiring all restaurants, cafeterias, and other food service establishments are mandated to cease all on-premises service; and

WHEREAS, on May 14, 2020, the Governor issued Executive Order 20-122, allowing Broward County to enter into Phase I of the Safe, Smart, Step-By-Step Plan for Florida's Recovery, which among other things allowed restaurant re-opening at 25% indoor capacity, and

WHEREAS, on May 14, 2020, the Governor also issued Executive Order 20-123 modifying the provisions of Phase I for the entire state, in relevant part, by raising the maximum indoor occupancy for restaurants to 50%; and

WHEREAS, on May 14, 2020, Broward County Administrator Bertha Henry issued Order 20-10, implementing Phase I for Broward County effective May 18, 2020, which in relevant part established standards for restaurant reopening in Section 4 and Attachment 2, and specifically allowed municipalities to waive or modify requirements for outdoor restaurant seating, and

WHEREAS, the Town desires to provide for additional outdoor restaurant seating; and

WHEREAS, Broward County Emergency Order 20-10 allows municipalities to be more strict than but not less strict than its requirements; and

WHEREAS, Section 5.2 of the Town Charter authorizes the Mayor to govern during times of grave public danger or emergency.

NOW THEREFORE, I, THE MAYOR OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, HEREBY PROCLAIM AND DECLARE:

SECTION 1. All gatherings anywhere within the Town shall be limited to groups of no more than 10 people and shall keep a 6-foot distance between persons.

SECTION 2. Tents, coolers, tables, chairs, and grills are prohibited in all Town parks, portals, and plazas. Coolers and grills are prohibited in all Town rights-of-way.

SECTION 3. The orders and provisions of all prior Town Local Declarations of Public Emergency shall remain in effect. All applicable Executive Orders issued by the Governor (<https://www.flgov.com/2020-executive-orders/>) and Emergency Orders issued by Broward County (<https://www.broward.org/CoronaVirus/Pages/generalDeclarations.aspx>) are hereby adopted by the Town and incorporated herein.

SECTION 4. The orders and provisions of all Town Local Declarations of Public Emergency, and any Broward County emergency orders or executive orders issued by the Governor that are just as stringent or more stringent than Town orders, shall be enforced within the boundaries of the Town of Lauderdale-By-The-Sea by the Broward Sheriff's Office, acting as the Town's police department pursuant to Chapter 15 of the Town Code.

SECTION 5. This Declaration shall be in effect for as long as the State of Florida state of emergency is in effect, unless this Declaration is earlier terminated.

SECTION 6. This Declaration authorizes the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the community, and requires that such actions shall be reported to and are subject to ratification at the next meeting of the Town Commission.

SECTION 7. This Declaration shall be filed promptly with the Town Clerk and shall be given prompt and general publicity.

SECTION 8. This Declaration shall take effect immediately.

SO, DECLARED AND ORDERED THIS 18th DAY OF MAY 2020.

DocuSigned by:
Chris Vincent
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Mayor Chris Vincent
Town of Lauderdale-By-The-Sea

ATTEST:

DocuSigned by:
Tedra Allen
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Tedra Allen, Town Clerk