

**BROWARD COUNTY ADMINISTRATOR'S
EMERGENCY ORDER 20-19**

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;

WHEREAS, on March 1, 2020, Governor DeSantis declared a Public Health Emergency as a result of COVID-19, and on March 9, 2020, Governor DeSantis issued Executive Order 20-52, declaring a State of Emergency as a result of COVID-19;

WHEREAS, on March 10, 2020, the County Administrator declared a Local State of Emergency;

WHEREAS, on March 11, 2020, the World Health Organization declared the spread of COVID-19 to be a global pandemic;

WHEREAS, on March 13, 2020, President Trump declared a national emergency concerning COVID-19;

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention ("CDC") recommends implementation of community mitigation strategies to increase containment of the virus;

WHEREAS, on March 10, 2020, the Broward County Board of County Commissioners authorized the County Administrator to take any appropriate and necessary action to protect the health and safety of Broward County residents and visitors in connection with COVID-19, and other emergency powers, including under the state-approved emergency management plan, had previously been delegated to the County Administrator (as further outlined below);

WHEREAS, beginning on May 21, 2020, the County Administrator issued a series of Emergency Orders, including Emergency Order 20-12, that outline the establishments permitted to operate in Broward County pursuant to specific guidelines and requirements for safe operation, and pursuant to Emergency Orders 20-17 and 20-18, the County Administrator established signage requirements and procedures for enforcement of these Emergency Orders including temporary closure of establishments cited for violating the applicable requirements; and

WHEREAS, in light of the recent increase in positive reported cases of COVID-19 within our County and the State of Florida, and the upcoming temporary closure of the beaches in Miami-Dade County, the County Administrator finds it necessary to close Broward County beaches for the Fourth of July holiday weekend, and the County Administrator finds it appropriate to more clearly identify the entities authorized to enforce and the consequences of violating the guidelines established to protect public health and safety,

NOW, THEREFORE, Bertha Henry, the Broward County Administrator, pursuant to her emergency authority under Sections 8-53 and 8-56 of the Broward County Code of Ordinances, as well as the authority granted to her by the Declaration of Emergency issued by Governor DeSantis in Executive Order 20-52, by Chapter 252, Florida Statutes, by the Board of County Commissioners, and by the Broward County Comprehensive Emergency Management Plan, hereby orders as follows:

Section 1. Temporary Closure of Broward County Beaches.

All beaches in Broward County shall be closed from 12:01 a.m. on Friday, July 3, until 11:59 p.m. on Sunday, July 5.

Section 2. Enforcement; Penalties.

The Broward County Sheriff's Office, municipal law enforcement agencies, code enforcement officers, and any other personnel as provided for in the Florida Statutes or the Broward County Code of Ordinances may enforce this Emergency Order and all other applicable Broward County Emergency Orders against any person or entity violating any provision of any such Emergency Order. All such enforcing authorities are authorized to enforce the provisions of the Broward County Emergency Orders as a civil violation and/or as a criminal violation, including as authorized by Broward County Code of Ordinances Section 8-56(d), pursuant to any applicable interlocal agreement regarding such enforcement, and as hereby authorized by Broward County. Violations of Broward County Emergency Orders may be prosecuted as criminal violations in the same manner as misdemeanors are prosecuted, including fines not to exceed \$500 per violation, imprisonment not to exceed 60 days, or both, and/or as civil violations including fines of \$1,000 per day per violation or fines of up to \$15,000 per violation for a knowing violation that is irreparable or irreversible in nature.

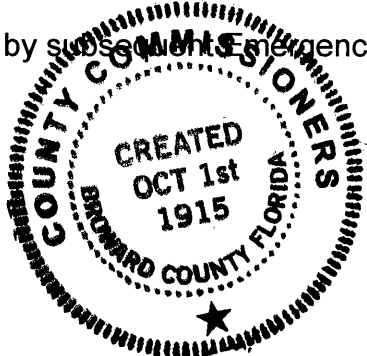
Section 3. Applicability; Severability.

This Emergency Order supersedes and replaces any contrary provision in any prior Broward County Emergency Order. Except as superseded, all Broward County Emergency Orders remain in full force and effect. This Emergency Order applies to incorporated and unincorporated areas within Broward County, but has no application outside of Broward County. The provisions of this Emergency Order shall serve as minimum standards, and municipalities within Broward County may establish more stringent standards within their jurisdictions, to the extent permitted by law. Any provision(s) within this Emergency Order that (i) conflict(s) with any state or federal law

or constitutional provision, or (ii) conflict(s) with or are superseded by a current or subsequently-issued Executive Order of the Governor or the President of the United States solely to the extent such Executive Order (a) expressly preempts the substance of this 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 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 Friday, July 3, 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.



BROWARD COUNTY, FLORIDA

By: 
Monica Cepero
Acting County Administrator

RECEIVED AND FILED in the Records, Taxes and Treasury Division on this 29th day of June, 2020, at 9:25 (a.m.) p.m.