

CITY OF DANIA BEACH
38th DECLARATION OF STATE OF EMERGENCY ORDER
(COVID-19 STATE OF EMERGENCY – January 7, 2021)

WHEREAS, on March 12, 2020 a State of Emergency was declared in the City of Dania Beach by Mayor Lori Lewellen relating to the Novel Coronavirus Disease 2019 (“COVID-19”), and there have been a series of Emergency orders from the State of Florida, Broward County and the City of Dania Beach; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) continues to encourage the use of cloth face coverings to help slow the spread of COVID-19; and

WHEREAS, the Florida Department of Health continues to stress the importance of social distancing and wearing facial coverings as the best method to reduce the spread of COVID-19 in the absence of a vaccine against the disease; and

WHEREAS, City of Dania Beach seeks to create an emergency order to further protect its citizens, beyond Broward County’s minimum requirements; and

WHEREAS, pursuant to Sections 252.38(3) and 252.46, *Florida Statutes*, Florida Governor DeSantis’ Executive Order 20-52, Section (4)(0)(1) (dated March 9, 2020), which provides that a municipality in the State of Florida is authorized to waive the procedures and formalities otherwise required of the political subdivisions by law pertaining to the taking of whatever prudent action is necessary to ensure the public’s health, safety, and welfare, and Article 2, Section 1 of the Charter of the City of Dania Beach, the Mayor has the power to issue emergency orders with the force of law. The Mayor is expressly authorized to issue Emergency Orders;

BY ORDER OF THE MAYOR under her emergency powers and authority:

Section 1. Effective Date. The above whereas clauses are incorporated by reference into this Emergency Order (“EO”). The City’s EO’s of March 12, 2020, March 15, 2020, April 10, 2020, May 22, 2020, May 23, 2020, May 29, 2020, June 8, 2020, June 9, 2020 (as modified below), June 24, 2020, June 26, 2020, July 2, 2020, July 9, 2020, July 16, 2020, July 24, 2020, July 30, 2020, August 6, 2020, August 13, 2020, August 20, 2020, August 28, 2020, September 2, 2020, September 10, 2020, September 17, 2020, September 25, 2020, October 1, 2020, October 8, 2020, October 22, 2020, October 28, 2020, November 5, 2020, November 12, 2020, November 18, 2020, November 25, 2020, December 3, 2020, December 10, 2020, December 17, 2020, December 23, 2020, and December 31, 2020 are incorporated by this reference, however any provision of any of those EO’s in conflict with this EO are superseded.

Therefore, the Emergency Orders are adopted into this Order and extended from 12:00 a.m. on January 8, 2021, for an additional seven (7) days.

Section 2. Changes to City Park Use. Playgrounds are now open. Park buildings and facilities are limited to fifty percent (50%) capacity; however, no rentals, events or organized gatherings are permitted.

Section 3. Adherence to Emergency Orders. All requirements of Emergency Orders from the Mayor, Broward County, and State of Florida shall be strictly adhered to at all times.

Section 4. Enforcement. This Order is in addition to, and supplements, the City's Declaration of a State of Emergency, County Emergency Orders, and State of Florida Executive Orders and shall be strictly adhered to at all times. This Order may be enforced by City law enforcement personnel through issuance of Notices to Appear or arrest, pursuant to the provisions of Chapter 252, Florida Statutes, and other applicable state, County and City laws, rules and regulations, or through the issuance of Code Violations and Notices of Violations pursuant to applicable provisions of Florida law, Chapter 162, Florida Statutes, and City Code. Moreover, this declaration is enforceable through sections 13-1 and 1-8 of the City Code, with a fine of not more than five hundred dollars (\$500.00), or by imprisonment for a period not exceeding sixty (60) days, or by both such fine and imprisonment, per each violation.

MAYOR TAMARA JAMES

FILED WITH THE CITY CLERK, THOMAS SCHNEIDER, OF THE CITY OF DANIA BEACH, FLORIDA ON JANUARY 7, 2021 AT 9:00 A.M.

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO, CITY ATTORNEY