

EMERGENCY ORDER 2020-11 (SECOND AMENDED AND REISSUED)
ESSENTIAL BUSINESS, REQUIRED SANITATION, REQUIRED SOCIAL
DISTANCING

On March 13, 2020 a State of Emergency was declared in the City of Coral Springs relating to the Novel Coronavirus Disease 2019 (“COVID-19”).

COVID-19 is a global pandemic that spreads rapidly from person to person and may result in serious illness or death. According to the most recent research, COVID-19 can survive in the air for up to three hours and can survive on surfaces for a significant period of time. COVID-19 attaching to surfaces contaminates the area and therefore also causes property damage. The community mitigation strategy from the United States Centers for Disease Control and Prevention (“CDC”) and the Florida State Department of Health recommend the implementation of community mitigation strategies to increase containment of the virus. Such recommendations include the cancelation of large gatherings and practicing social distancing.

This order is given because of the propensity of the virus to spread person to person and also because the virus physically is causing property damage due to its proclivity to attach to surfaces for prolonged periods of time.

On March 23, 2020, Broward County issued Emergency Order 20-01. In that Order, Broward County declared certain businesses as essential and required closure of others.

On March 30, 2020, Governor Ron DeSantis issued Executive Order 20-89 that deemed businesses identified in Miami-Dade Emergency Order 07-20 to also be essential businesses in Palm Beach, Broward, and Monroe Counties. Among other things, the order also requires businesses providing essential services to adhere to sanitation and cleanliness standards as well as social distancing practices.

On April 1, 2020, Governor Ron DeSantis issued Executive Orders 20-91 and 20-92 to declare certain businesses essential state-wide. On April 2, 2020, during a press conference, Governor Ron DeSantis stated that the Executive Orders that he issued are the “floor” and local governments can “go beyond” his order. On April 3, 2020, the Governor’s Office, consistent with an email received from the Governor’s General Counsel, released guidance that provides that municipalities are, “allowed to adopt requirements directly on businesses, operations or venues, including buildings, beaches and parks that [are] stricter than the Governor’s Executive Order.”

Pursuant to Section 252.46, *Florida Statutes* and Chapter 19 of the Code of the City of Coral Springs, the City has the power to issue emergency orders with the force of law. The City Manager has expressly been authorized to issue Emergency Orders.

IT IS HEREBY ORDERED:

Section 1. The statements made above are true and correct and are hereby incorporated into this Emergency Order.

Section 2. Closure of Non-Essential Businesses. To slow the spread of COVID-19 it is necessary to close the brick-and-mortar locations of businesses to employees and customers if that business is not essential. For the avoidance of all doubt, this Emergency Order will not close businesses that are utilizing only remote work or tele-work with no employees or customers at a physical business location or operating in accordance with Section 4 of this Order. Therefore, it is hereby ordered that all businesses close within the jurisdictional boundaries of the City of Coral Springs, except the following businesses that are deemed Essential Businesses below:

- (1) Healthcare providers and public health operations, including but not limited to: hospitals; doctors' and dentists' offices; urgent care centers, walk-in medical clinics, mental health professionals, psychiatrists, therapists, research and laboratory services, blood banks, medical cannabis facilities, medical equipment manufacturers and suppliers, reproductive health care providers, eye care centers, home healthcare services providers, medical transport services, pharmacies;
- (2) Physical and occupational therapists or therapy centers so long as such operation is conducted pursuant to the regulations provided for within Emergency Order 2020-09;
- (3) Retail stores that primarily sell one or more of the following: canned food, dry goods, fresh fruits and vegetables, baby products, pet food or supplies, liquor, fresh or frozen meats, fresh or frozen fish for consumption, fresh or frozen poultry, household cleaning supplies, personal hygiene products;
- (4) Food cultivation, including farming, livestock, and fishing;
- (5) Social services businesses that provide the following to economically disadvantaged or otherwise needy individuals: food, shelter, social services, and other necessities of life;

- (6) The news media;
- (7) Gas stations, including the interior service station;
- (8) Vehicle and bicycle maintenance and repair facilities where such maintenance or repair occurs onsite and auto repair supply stores;
- (9) Banks, credit unions, similar financial institutions, and any financial service declared as Essential Critical Infrastructure Workforce for the financial services sector by the Department of Homeland Security;
- (10) Retail stores that sell primarily hardware, gardening, and/or building material;
- (11) Building, electrical, mechanical, plumbing, air conditioning, and other tradesmen, building management and maintenance, fire and water damage restoration services, public adjusters, appliance repair, pest control, and businesses necessary for the safety, sanitation, and essential operation of residential and commercial property;
- (12) Logistics, mailing, shipping services, and post office boxes;
- (13) Laundromats, dry-cleaners and laundry service providers;
- (14) Restaurants and other places that prepare and serve food for only take-out and delivery and subject to the regulations contained in Governor's Executive Order 20-70 as may be amended or extended;
- (15) Retail stores that sell primarily office supplies, including but not limited to computers and peripherals, provided that such sales are conducted remotely and delivered curbside or through a contactless delivery at the customer's home;
- (16) Residential and commercial delivery services;
- (17) Assisted living facilities, nursing homes, adult day care centers, and home based residential settings for adults, seniors, children, and/or people with disabilities or mental illness subject to Emergency Order 2020-01 and all Orders issued by any State of Florida administrative agency.
- (18) Legal services provided by an attorney licensed by the Florida Bar to the extent such services cannot be provided remotely;
- (19) Accounting services provided by a certified public accountant to the extent such services cannot be provided remotely;
- (20) Residential and commercial landscaping and mowing services;
- (21) Residential and commercial pool services;

- (22) Landscape and mowing service supply retail stores;
- (23) Pool services supply retail stores;
- (24) Childcare facilities provided such facility is in compliance with Emergency Order 2020-10;
- (25) Private transportation providers provided that such transportation is to or from a business provided for within this Emergency Order or a customer's home;
- (26) Logistics providers, including warehouses, trucking, consolidators, fumigators, and handlers;
- (27) Telecommunications providers, including cellular telephone sales, repair, and service, provided that sales are conducted remotely and are delivered curbside or at the customer's home in a contactless delivery;
- (28) Propane or natural gas providers;
- (29) Open construction sites to construction workers, engineers, architects, and similar professions at the job site irrespective of the type of construction site;
- (30) Factories, warehouses, manufacturing facilities, bottling plants, or other industrial distribution and supply chain facilities used for essential products and industries for the U.S. domestic market;
- (31) Waste management services;
- (32) Hotels, motels, temporary vacation rentals, and other commercial lodging establishments provided that only Essential Lodgers are lodged. "Essential Lodgers" are defined as: (1) healthcare professionals, (2) first responders, (3) National Guard members, (4) law enforcement, (5) state or federal government employee, (6) airline crew members, (7) patients, (8) patients families, (9) journalists, (10) a person providing direct services in response to COVID-19 , (11) displaced residents or visitors, (12) persons utilizing hotels as transitional living arrangements, (13) persons sheltering in hotels due to domestic violence, (14) hotel employees, service providers, and contractors, or (15) individuals who, for any reason, are temporarily unable to reside in their home due to exigent circumstances;
- (33) Veterinarians and pet boarding facilities;
- (34) Mortuaries and funeral homes providing only embalming or cremation services;
- (35) Stores that primarily sell firearms and ammunition excluding pawn shops;

- (36) Local, state, or federal government contractors providing services that directly relate to a governmental response of the COVID-19 crisis;
- (37) Licensed insurance agents or agencies provided that such administration and issuance of insurance cannot be accomplished remotely;
- (38) New and used vehicle sales and rental, and
- (39) Sanitation and disinfection services.

Section 3. Minimum Sanitation and Social Distancing Required. All businesses shall take the following social distancing measures in addition to any other measure required by law, Executive Order, Emergency Order, or recommended by the Center for Disease Control and Prevention:

- (1) All retail stores shall:
 - (a) Provide disinfectant wipes for shopping carts and baskets or disinfect shopping carts and baskets after each use;
 - (b) Disinfect hourly, at a minimum all check out areas, including but not limited to conveyer belts, cash registers, and credit card areas;
 - (c) Disinfect after close or before opening all areas of the store that customers may touch or come into contact;
 - (d) Require employees to wash and/or disinfect their hands at least once per hour;
 - (e) Clean and disinfect any pen or stylus used to sign receipts after each customer or waive the need to sign a receipt;
 - (f) Use best efforts to ensure that no more than ten (10) people, including staff, are gathered in any particular area of the store;
 - (g) Use best efforts to ensure that customers at check out are separated by at least six (6) feet;
 - (h) All door handles used by the general public shall be disinfected at least hourly during business hours;
- (2) All Essential Businesses that has a place where customers wait, such as medical offices, law offices, accounting offices, car dealerships, and auto repair, shall take the following measures:

- (a) No person shall be seated within six (6) feet of another person, however, groups of people that arrive with each other as a single group may be seated next to each other;
 - (b) All seats and other items touched or used by a person shall be disinfected after each use;
 - (c) All door handles used by the general public shall be disinfected at least hourly during business hours;
 - (d) No person exhibiting flu or COVID-19 like symptoms shall be permitted to wait in any customer waiting area, however; nothing prohibits any medical provider from allowing a patient through a customer waiting area to a treatment room so long as no other person is within six (6) feet of the patient exhibiting flu or COVID-19 like symptoms; and
 - (e) An open air waiting area shall be made available for patients and customers.
- (3) All businesses shall:
- (a) Prohibit any employee from entering the place of business if the employee has a fever that exceeds 99.9 degrees Fahrenheit;
 - (b) Prohibit any employee from entering the place of business if the employee is exhibiting flu like or COVID-19 like symptoms;
 - (c) If practicable, use best efforts to ensure that employees have six (6) feet between each employee and the next closest person;
 - (d) Not allow more than 25% of their approved maximum capacity (inclusive of employees and customers) into any location;
 - (e) Any person that must wait outside of a business to enter into a business shall be spaced a minimum of six (6) feet from the next closest person provided that groups that arrive as a single group may be closer than the six (6) foot distance separation requirement;
 - (f) Require any task capable of being performed remotely, online, or telephonically to be performed in such a manner;
 - (g) All products, vehicles, and other objects touched by any customer by a business shall be cleaned and disinfected after such use if such business has knowledge that a customer touched the product, vehicle, or other object.

Section 4. All non-essential businesses within the jurisdictional boundaries of the City of Coral Springs may operate remotely, online, telephonically, via mail, and through other technological means so long as no employees or customers are together at a physical location.

Notwithstanding the foregoing:

- (a) All non-essential businesses may designate no more than two (2) people during the time this Order is in effect access to the site to conduct Minimum Basic Operations. “Minimum Basic Operations” means the minimum activities necessary to maintain the value of inventory, preserve plant and equipment condition, ensure security, process payroll and employee benefits, and facilitate employees working remotely, provided such businesses shall practice, and ensure persons interacting with and within such businesses practice any and all social distancing requirements in accordance with the guidelines advised by the CDC and all requirements in Section 3, above; and
- (b) Non-essential businesses may continue to accept internet, telephone, and mail orders for products that they sell. Non-essential businesses may fulfill orders that they receive so long as the item ordered is delivered to the customer’s home by common carrier or through a contactless delivery. For service related non-essential businesses, such as educational services and fitness studios, those non-essential businesses may utilize their brick and mortar location only to facilitate the provision of their services online. Non-essential businesses shall not have more than two (2) people working for the non-essential business on-site at any time if operating pursuant to this subsection. Non-essential businesses shall not have any customer on site. All non-essential businesses operating pursuant to this Section shall ensure persons interacting with and within such businesses practice any and all social distancing requirements in accordance with the guidelines advised by the CDC and all requirements in Section 3, above.

Section 5. This Order does not close religious services at a place of worship. All places of worship shall have their approved maximum capacity reduced to 25%. In addition, each person must be spaced a minimum of six (6) feet from the next closest person. However, people in groups that arrive as a single group may be closer than the six (6) foot distance separation requirement. Places of worship shall also clean and disinfect all seating, door handles, and public areas before allowing any member of the public into the place of worship. Additionally, the place of worship shall comply with all measures advised by the CDC, including limiting gathering to no more than

ten (10) people and practicing social distancing for any gathering that is not part of a religious service.

Section 6. A violation of this Order is a violation of Section 252.50, Florida Statutes. In addition, a violation of this Order is hereby deemed to be a violation of the Code of the City of Coral Springs.

Section 7. Due to the rapid spread of COVID-19 among individuals and the great harm to the public health and to property by contamination by violators this order, a violation of this Order is deemed irreparable and irreversible in nature. Without limiting any other remedy provided to the City, the City is hereby authorized to take all lawful actions against a violator of this Order. Such actions include, but are not limited to, blocking access to the business and disconnecting power or other utilities to the business.

Section 8. Without limiting any other remedy provided to the City, the Code Compliance Division shall enforce this order in accordance with Chapter 162, Florida Statutes, and Article V of the Land Development Code of the City of Coral Springs. Notwithstanding the foregoing, hearings before the Special Magistrate are hereby authorized to be via telephone or other telecommunications media provided such hearing follows fundamental due process.

Section 9. In an effort to further social distancing and close areas where members from different households congregate and used shared equipment and seating, all pools and gyms that are amenities of a hotel, condominium or homeowners association, office, or other structure are hereby ordered closed.

Section 10. Any provision of this Emergency Order that is deemed unlawful by a court of competent jurisdiction shall be deemed inapplicable and severed from this Emergency Order with the remaining intact and in full force and effect.

Section 11. This amended Emergency Order is effective immediately.

**ORDERED ON AND FILED WITH THE CLERK OF THE CITY OF CORAL SPRINGS
ON APRIL 9, 2020.**

Ordered by:



City Manager Frank Babinec