

EXHIBIT 1
ORDINANCE NO. 2020-

AN EMERGENCY ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, DECLARING AN EMERGENCY AFFECTING PUBLIC HEALTH, SAFETY AND WELFARE DUE TO COVID-19 AND AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTIONS TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE DURING THE STATE OF EMERGENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 5.02 of the City Charter provides that, to meet a public emergency affecting life, health, property or the public peace, the commission may adopt one (1) or more emergency ordinances; and

WHEREAS, the City Charter further provides that an emergency ordinance may be adopted with or without amendment, or rejected, at the meeting at which it is introduced, but the affirmative vote of at least two-thirds of all the Commission shall be required for adoption. After its adoption, the ordinance shall be published once in a newspaper of general circulation; and

WHEREAS, the City of Hallandale Beach has declared a State of Emergency pursuant to Chapter 252, Florida Statutes, effective March 9, 2020, and renewed on March 16, 2020, and subject to additional renewals every 7 days; and

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

WHEREAS, in December of 2019, a new and substantial outbreak of COVID-19 emerged in Wuhan, China, and has since spread rapidly to 117 countries and territories throughout the World, including the United States, and more specifically Broward County and 18 other counties in the State of Florida; and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared COVID-19 a pandemic; and

WHEREAS, no vaccine or drug is currently available to cure or combat COVID-19;
and

35 WHEREAS, as of March 14, 2020, at least 36 persons in Broward County and 109
36 residents in the State of Florida have tested positive for COVID-19, with an unknown
37 number of persons awaiting testing or awaiting test results; and

38 WHEREAS, the City of Hallandale Beach is threatened by COVID-19 because of the
39 apparent ability of the virus to spread rapidly among humans and overwhelm health system
40 capacities; and

41 WHEREAS, the CDC has issued guidelines for "community mitigation strategies" to
42 limit the spread of COVID-19, including recommendations for social distancing, which has
43 proven to be an effective method for containing COVID-19; and

44 WHEREAS, on March 9, 2020, Governor DeSantis issued Executive Order
45 Number 20-52 regarding COVID-19, declaring a state of emergency in the State of
46 Florida, and authorizing emergency powers in accordance with Section 252.38, Florida
47 Statutes; and

48 WHEREAS, the situation with COVID-19 is quickly evolving on a daily basis, may
49 last for an extended period of time, and requires swift action and responsiveness from
50 the City to mitigate or avoid harm to the public health, safety and welfare; and

51 WHEREAS, the City Charter states that the Mayor "shall be recognized as head
52 of city government for all ceremonial purposes, [and] by the governor for purposes of
53 military law" and that the City Manager shall "[i]n time of emergency or disaster, assume
54 full temporary direction of all municipal operations;" and

55 WHEREAS, Florida Statutes Chapter 870 permits the designated public official to
56 establish a curfew and mandate the closing of establishments, among other powers;
57 and Chapter 252 grants municipalities with extraordinary emergency management
58 powers; and

59 WHEREAS, the Mayor and City Commission wish to clearly and unambiguously
60 declare that the authorization implied in the City's Charter is designated to the City
61 Manager for any and all action that the City Manager deems necessary to respond to
62 the danger COVID-19 presents to public health, safety and welfare; and

WHEREAS, the Mayor and City Commission hereby find that COVID-19 constitutes a clear and present threat to the health, safety, and welfare of the citizens and visitors of the City of Hallandale Beach.

NOW, THEREFORE, NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:

SECTION 1. DECLARATION OF EMERGENCY. The foregoing “Whereas” clauses are hereby incorporated herein and confirmed as true. The Mayor and Commissioners of the City of Hallandale Beach declare that the spread of COVID-19 presents a clear danger to the health, safety and welfare of the residents of Hallandale Beach. The State of Emergency declared pursuant to Florida Statutes Ch. 252 may be extended as necessary by signature of the Mayor, or the person subsequently authorized pursuant to City Charter.

SECTION 2. CITY MANAGER AUTHORIZATION. In accordance with the City Charter, the Mayor and City Commission hereby authorize the City Manager to take any and all actions that the City, or any one of its officials, is authorized to take, and that the City Manager deems necessary to address public health, safety and welfare during the State of Emergency in response to COVID-19. The City Manager will request the assistance of the Mayor, as ceremonial head of government, for messaging and public communication purposes as time permits. The City Manager will keep all members of the Commission informed of the actions being taken to address the state of emergency, as time permits, and shall provide a report of actions taken pursuant to this authorization at the next City Commission meeting.

SECTION 3. RATIFICATION OF PREVIOUS ORDERS. The Mayor and City Commission hereby ratify the previous regulations issued by the City Manager to address public health, safety and welfare during the State of Emergency in response to COVID-19.

SECTION 4. ENFORCEMENT. The Mayor and City Commission hereby direct all residents and visitors of the City of Hallandale Beach to comply with any emergency

regulations and necessary measures, which shall be strictly enforced, and to cooperate with public officials and public safety personnel in executing any emergency operational plans, and to obey and comply with the lawful direction of all properly identified public officers. Any violation of any rule or regulation issued and set forth pursuant to this Ordinance shall be punishable as provided in Florida Statutes and/or Chapter 1, Section 1-6, Code of Ordinances, City of Hallandale Beach.

SECTION 5. PUBLICATION. The City Clerk is instructed to publish this emergency ordinance in a newspaper of general circulation upon adoption.

SECTION 6. EFFECTIVE DATE. This ordinance shall expire upon the expiration of the existing City of Hallandale Beach State of Emergency relating to COVID-19, except that if such State of Emergency is extended, this authorization shall also be deemed to extend for the duration of such extension, but no more than 60 days from the date of adoption. This order may be cancelled earlier by action of the City Commission.

PASSED AND ADOPTED ON March 18, 2020.

JOY COOPER
MAYOR

SPONSORED BY: CITY ADMINISTRATION

ATTEST:

JENORGEN M. GUILLEN, CMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
AND FORM

JENNIFER MERINO
CITY ATTORNEY

FIRST READING VOTE ON ADOPTION

| | |
|------------------------|-------|
| Mayor Cooper | _____ |
| Vice Mayor Javellana | _____ |
| Commissioner Butler | _____ |
| Commissioner Lazarow | _____ |
| Commissioner Lima-Taub | _____ |

FINAL VOTE ON ADOPTION

| | |
|------------------------|-------|
| Mayor Cooper | _____ |
| Vice Mayor Javellana | _____ |
| Commissioner Butler | _____ |
| Commissioner Lazarow | _____ |
| Commissioner Lima-Taub | _____ |