

BROWARD COUNTY ADMINISTRATOR'S EMERGENCY ORDER 20-04

WHEREAS, Emergency Order 20-01, issued on March 22, 2020, as amended and restated by Emergency Order 20-03, issued on March 26, 2020, designated certain businesses as essential businesses and ordered the closure, subject to certain exceptions, of nonessential retail and commercial business locations;

WHEREAS, even though golf courses are not Essential Businesses under Emergency Order 20-01, as amended by Emergency Order 20-03, many golf courses have continued to operate in violation of the County's orders;

WHEREAS, Florida Governor Executive Order 20-70, dated March 20, 2020, specifically states that "all movie theaters" are ordered closed and authorizes the Broward County Administrator to enforce these closures;

WHEREAS, certain additional clarifications, exclusions, and inclusions are necessary to support effective enforcement of the restrictions of the Emergency Orders issued to date;

NOW, THEREFORE, I, Bertha Henry, the Broward County Administrator, pursuant to my emergency authority under Section 8-53 of the Broward County Code of Ordinances, as well as the authority granted to me 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 order as follows:

Section 1. All golf courses and movie theaters (including drive-in, indoor, and outdoor) in Broward County are hereby ordered closed until further notice, except to the extent they are permitted to operate under Sections 2 or 4 of Broward County Emergency Order 20-01, as amended by Emergency Order 20-03.

Section 2. Emergency Order 20-03 is hereby amended and restated as provided herein, with strikethrough text indicating deletions and underlined text indicating additions. Except as expressly amended herein, Emergency Order 20-03, as amended, remains in full force and effect.

Section 3. Section 3 of Emergency Order 20-03 is amended and restated as follows:

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ff. Marinas and boat launches, docking, fueling, marine supply, and other marina services (not including piers), but only to the extent necessary to support the following limited operations:

- (i) to allow any person with a commercial saltwater license issued by the Florida Fish and Wildlife Conservation Commission to enter and use a marina or boat launch for commercial fishing purposes only;
- (ii) to support patrol, enforcement, and rescue activity by federal, state, or local government agencies;
- (iii) to accommodate boats, ferries, or other vessels in support of Port Everglades operations;
- (iv) to accommodate persons living aboard their vessels;
- (v) to accommodate persons returning to the United States from international voyages;
- (vi) to authorize entry by persons needing to remove their vessels from the water;
- (vii) to perform emergency maintenance on a vessel, marina, or fueling station;
- (viii) to perform marine supply services; or
- (ix) to allow any boat, ferry, or other vessel to enter a marina for the purpose of fueling such boat, ferry, or vessel.

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oo. Real estate sales and real property title services, provided such services are performed only electronically or remotely as permitted in Section 4; and in-person appraisals, inspections, surveys, or other in-person required activities (but, for such other in-person required activities, only those expressly required as part of a written agreement), solely to the extent necessary in connection with real estate purchase and sale agreements entered into on or prior to March 22, 2020, the effective date of Emergency Order 20-01. For all in-person interactions, those providing any service under this provision must strictly observe all CDC guidelines regarding sanitation and social distancing.

Section 4. Severability.

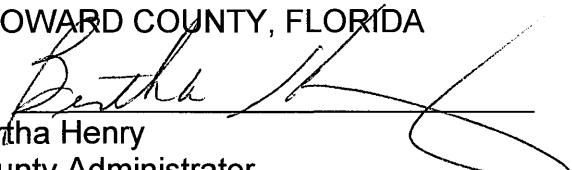
Any provision(s) within this Emergency Order that conflict(s) with any state or federal law or constitutional provision, or conflict(s) with or are superseded by a current or subsequently-issued Executive Order of the Governor or the President of the United States, shall be deemed inapplicable and deemed 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 5. Effective Date.

This Emergency Order ~~is~~ effective as of 12:01 a.m. on Tuesday, March 31, 2020.



BROWARD COUNTY, FLORIDA

By: 
Berntha Henry
County Administrator

RECEIVED AND FILED in the Records, Taxes and Treasury Division on this 30th day of March, 2020, at 4:18 P.m.