

**BROWARD COUNTY ADMINISTRATOR'S  
EMERGENCY ORDER 20-24**

**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, I declared a Local State of Emergency; on March 11, 2020, the World Health Organization declared the spread of COVID-19 to be a global pandemic; and 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 me to take any appropriate and necessary action to protect the health and safety of Broward County residents and visitors in connection with COVID19, and other emergency powers, including under the state-approved emergency management plan, had previously been delegated to me (as further outlined below); and

**WHEREAS**, I find it advisable to clarify the application of these Emergency Orders to bars and similar establishments and to modify the limitations on vacation rentals and restaurants and food establishments,

**NOW, THEREFORE**, I, Bertha Henry, the Broward County Administrator, pursuant to my emergency authority under Sections 8-53 and 8-56 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. Amendments to Emergency Order 20-21.**

A. Broward County Emergency Order 20-21 is amended at Section 1.B.18 as follows, including to relocate the requirement to provide contact information to the County to the Short-Term Vacation Rental Reopening Plan in Attachment 18 (strikethrough text represents deletions):

**“Section 1. Businesses Permitted to Operate.**

\* \* \*

B. The following guidelines to the extent applicable to the type of establishment or the specific use(s) operating within such establishment:

\* \* \*

18) Short-Term Vacation Rental Reopening Plan (~~only vacation rentals that are (a) actively managed by on-site owners or on-site management companies with staffing or security personnel on-site 24 hours a day, for check-ins on or after July 20, 2020, but before August 20, 2020 and provided the owner/manager provides the physical address of the vacation rental, the contact email address for the owner/manager, and the contact name and telephone number for the 24/7 staffing or security personnel to~~

~~reopening@broward.org); or (b) rentals by persons performing military, emergency, governmental, health, or infrastructure response to the COVID-19 pandemic, or persons primarily engaged in non-vacation commercial activities): **Attachment 18;**~~

B. Section 2 of Emergency Order 20-21 is amended and replaced in its entirety with the following to restate the businesses and establishments that must remain closed:

**“Section 2. Businesses and Establishments Not Permitted to Operate.**

The following establishments must close and remain closed to the public notwithstanding any previous Broward County Emergency Order or existing Governor’s Executive Order allowing one or more of these businesses to operate:

A. Bars, pubs, breweries, billiards halls and clubs, and cocktail lounges, if such establishments derive more than fifty percent (50%) of gross revenue from the sale of alcoholic beverages. However, these establishments may operate solely to provide food or beverage for take-out or delivery if operated consistent with Emergency Order 20-21, including Attachment 2, as amended.

B. Night clubs, hookah bars, and cabarets.

C. Banquet halls (except to the extent banquet halls function solely within the limitations of Attachment 13, Section A.7).

D. Adult entertainment establishments, including strip clubs, and swingers’ clubs, but excluding adult bookstores or adult video stores (as defined by Broward County Code of Ordinances Section 20-327).

E. All hot tubs, steam rooms, saunas, and Jacuzzis, unless located in or on a single-family residential lot, a single townhouse unit, or any part of a duplex lot.”

C. Attachment 2 (Restaurants and Food Establishments) to Broward County Emergency Order 20-21 is replaced in its entirety with the attached Attachment 2 to allow on-premises dining until 11 p.m. instead of 10 p.m., to limit the sale of alcohol for off-site consumption between the hours of 11 p.m. and 5 a.m., and to clarify that billiards tables and similar games must remain closed.

D. Attachment 18 (Short-Term Vacation Rental Reopening Plan) to Broward County Emergency Order 20-21 is replaced in its entirety with the attached Attachment 18 to incorporate the requirements regarding provision of contact information to the County.

**Section 2. Prohibition on Open Containers.**

Between the hours of 11 p.m. and 5 a.m., no person in Broward County may consume any alcoholic beverage in or upon any area available for use by the public, which includes beaches, beach boardwalks and other pedestrian areas, parks, streets, highways, sidewalks, parking lots and parking areas, and any public area that is immediately adjacent to an establishment where alcoholic beverages are sold or dispensed.

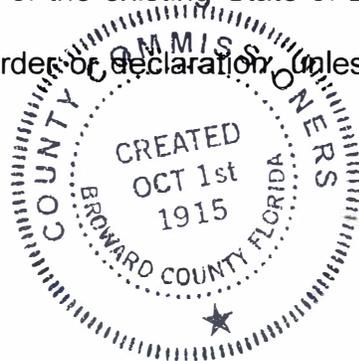
**Section 3. Applicability; Severability.**

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. Terms defined in Emergency Order 20-21 shall retain the same meaning to the extent used herein. This Emergency Order and all Broward County Emergency Orders apply to all incorporated and unincorporated areas within Broward County, but have 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 immediately. 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: Bertha Henry  
Bertha Henry, County Administrator

RECEIVED AND FILED in the Records, Taxes and Treasury Division on this 21st day of August, 2020, at 10:18 a.m.