BROWARD COUNTY ADMINISTRATOR'S
EMERGENCY ORDER 20-27

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 Ron 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 COVID-19, and other emergency powers, including under the state-approved emergency management plan, had previously been delegated to me (as further outlined below);

WHEREAS, since March 2020, I have issued a series of Emergency Orders designed to curb the spread of COVID-19, and

WHEREAS, on September 25, 2020, Governor DeSantis issued Executive Order 20-244, advancing the State of Florida into Phase 3 of the state's reopening and

preempting local governments from taking certain actions with respect to closures and capacity limitations for certain establishments;

WHEREAS, as a result of Governor DeSantis' Executive Order 20-244, I was compelled to allow all establishments in Broward County to operate;

WHEREAS, the continued regulation of establishments via imposition of certain common-sense measures designed to curb the spread of COVID-19 continues to be necessary to protect the public health and welfare of Broward County residents;

WHEREAS, Executive Order 20-244 requires that local governments that wish to limit restaurants and food service establishments to less than 100% of their indoor capacity quantify the economic impact of each limitation on restaurants and explain why each such limitation is necessary for public health;

WHEREAS, since the inception of the local state of emergency, the restaurant industry has experienced significant revenue losses as a result of the mandatory closures and, subsequent to reopening, the capacity limits imposed by the State of Florida;

WHEREAS, it was not until September 25, 2020, that the state lifted all its restrictions on the operations of restaurants and other food services establishments;

WHEREAS, revenue losses in the restaurant industry are not only a result of local government regulations, but also a direct result of the State's regulations discussed above and the result of consumers choosing to not patronize certain establishments due to health risks and concerns related to COVID-19;

WHEREAS, available data shows that the year-over-year reduction in total sales for eating and drinking establishments is 15.5%, and the nationwide August 2019 sales were $64.6 billion while August 2020 sales were $54.6 billion.

WHEREAS, based on current data, reduced capacity restrictions on restaurants and food service establishments may result in an approximate maximum loss of sales to restaurants of 15.5% of their revenue, but potentially far less;

WHEREAS, failure by restaurants and food service establishments to take appropriate measures to curb the spread of COVID-19 might impact restaurants and food service establishments far more significantly, whether due to the potential for new, widespread business closures or due to consumer concern over the absence of common-sense protective regulatory measures;

WHEREAS, according to the CDC, COVID-19 spreads in various ways, including (i) between people who are within six feet of each other; (ii) through droplets produced when an infected person coughs, sneezes, or talks; (iii) by touching a surface or object that has COVID-19 particles on it; and (iv) even by people who are not showing symptoms but still carrying the virus;

WHEREAS, the inherent nature of onsite dining at restaurants and food service establishments presents several opportunities for people to inadvertently spread the virus, including through the prolonged interaction of people at a close distance, and because of the inability of patrons to wear facial coverings while eating or drinking;

WHEREAS, there is still a substantial public health risk posed by COVID-19 and Broward County has been particularly impacted by COVID-19, having the second highest incidence of COVID-19 in the State of Florida;

WHEREAS, limiting capacity at restaurants and other establishments allows for greater social distancing in accordance with CDC Guidelines and helps minimize the spread of COVID-19 in Broward County;

WHEREAS, in light of the Governor's Executive Order 20-244 and based on available data and trends in Broward County, I find it advisable to modify the rules applicable to certain establishments; and

WHEREAS, I also deem it appropriate to clarify the requirements applicable to restaurants, bars, nightclubs, and other establishments serving food or alcohol and to reinforce that social distancing and facial covering requirements in Broward County remain in effect,

NOW, THEREFORE, the County Administrator, pursuant to her emergency authority under Sections 8-53 and 8-56 of the Broward County Code of Ordinances, as well as the authority granted to her 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. Amendment to Section 1 of Emergency Order 20-21, as amended.

Section 1 of Broward County Emergency Order 20-21 is hereby deleted and replaced in its entirety with the following:

"**Section 1. Businesses/Services Permitted to Operate**.

Any retail, commercial, governmental, charitable, nonprofit, and other business or organization, and any amenity including pools, beaches, and parks, in Broward County (all such businesses, organizations, and amenities collectively referred to hereinafter as an "establishment") may operate subject to compliance with all of the following:

A. The facial covering requirements in this Emergency Order.

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

1) General Requirements for All Establishments: **Attachment 1**;

2) All Establishments Serving Food or Alcohol: **Attachment 2**;

3) Retail Establishments: **Attachment 3**;

4) Personal Services: **Attachment 4**;

5) Movie Theaters: **Attachment 5**;

6) Community Rooms, Fitness Centers, and Gyms in Housing Developments: **Attachment 6**;

7) Museums: **Attachment 7**;

8) Parks in Broward County: **Attachment 8**;

9) Boating and Marine Activities: **Attachment 9**;

10) Golf Courses: **Attachment 10**;

11) Pool Decks, Pools, And Other Residential Recreational Amenities in Housing Developments: **Attachment 11**;

12) Public Community Pools and Private Club Pools: **Attachment 12**;

13) Hotels, Motels, and Commercial Lodging Establishments: **Attachment 13;**

14) Commercial Gyms and Fitness Centers: **Attachment 14**;

15) Beaches in Broward County: **Attachment 15**;

16) Youth Activities and Summer Camps: **Attachment 16**;

17) Bowling Alleys, Arcades, and Indoor Amusement Facilities: **Attachment 17**;

18) Short-Term Vacation Rental Reopening Plan: **Attachment 18**;

19) Non-Professional Sporting Events with Spectators: **Attachment 19**;

20) Events at Function Spaces: **Attachment 20**;

21) Pari-Mutuel Establishments: Pursuant to an approved reopening plan approved in writing by Broward County Administrator; and

22) Concert Houses, Auditoriums, and Playhouses: Pursuant to a reopening plan prepared by the establishment, which reopening plan shall be available for inspection by Broward County, code enforcement and law enforcement, or any member of the public, and also pursuant to **Attachment 5**.

C. By operating within Broward County, the owner or operator of each such establishment consents to the entry of County and municipal law enforcement and code enforcement personnel into areas open to the public on the establishment's property for the sole purpose of inspection for compliance with this order and any other applicable Broward County Emergency Order or Executive Order of the Governor."

Section 2. Repeal of Section 2 of Emergency Order 20-21, as amended.

Section 2 of Broward County Emergency Order 20-21, as amended, is repealed in its entirety.

Section 3. Amendment to Section 3 of Emergency Order 20-21, as amended.

Section 3 of Broward County Emergency Order 20-21 is replaced in its entirety with the following.

"Section 3. Facial Covering Requirements.

A. General Provisions Regarding Facial Coverings. Facial coverings (also known as "face masks") must be worn by all persons in Broward County as set forth in Section B below, unless Section C provides a specific exception.

Facial coverings must comply with the CDC recommendations located at https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html. As explained by the CDC, facial coverings must snugly fit over the person's **nose and mouth** and should be made of multi-layer cloth or fabric. However, in

accordance with CDC recommendations, facial coverings may be adapted to accommodate certain groups of people. For example, people who are hearing impaired, or those who care for or interact with a person who is hearing impaired may utilize a mask with a clear insert to allow lipreading. Plastic facial shields are not considered facial coverings and do not meet the facial covering requirements stated in this Emergency Order. Plastic facial shields may be worn in addition to facial coverings but are not a substitute for the required facial coverings.

Facial coverings and other disposable personal protective equipment such as masks and gloves must be discarded properly. Littering of facial coverings or other personal protective equipment is prohibited.

B. Facial Coverings Required. Facial coverings are required in the following instances:

1. When Away From Home and Social Distancing Cannot Be Consistently Maintained: All people in Broward County must wear a facial covering any time they are outside their residence if social distancing of at least 6 feet cannot be consistently maintained between persons not of the same household. For purposes of this rule, a person's residence includes their yard and extends to the edge of their residential property but does not include amenities that are part of a housing development.

2. While at an Amenity: All people must wear facial coverings at all times when visiting or using an amenity, including while entering, exiting, and otherwise moving around within the amenity, unless social distancing of at least 6 feet can be maintained at all times from everyone not from your same household or group. An

"amenity" means a park, pool, beach, or any portion of a multi-family housing property outside of a dwelling unit primarily used for leisure or entertainment, including pools, community rooms, and athletic courts.

3. While at an Establishment Other Than an Amenity: All people must wear facial coverings at all times when visiting or using establishments other than amenities. This includes while entering, exiting, and otherwise moving around within the establishment. This rule applies even when social distancing of at least 6 feet is also maintained; therefore, you must wear a facial covering when entering, inside, moving within, or leaving a store, even if no one is within 6 feet of you. The term "establishment" includes any retail, commercial governmental, charitable, nonprofit, and other business, or organization.

4. Workers in any Establishment or Amenity: All people working at an establishment or amenity must wear facial coverings while working even when social distancing of at least 6 feet is also maintained. This requirement applies to all workers including those involved in preparing, handling, or serving food.

5. Common Areas In A Multi-Family Housing Development: All people visiting or using a common area of a multi-family housing development or residential facility, including in the reception area, hallways, and elevators, must wear a facial covering even when social distancing of at least 6 feet is also maintained.

6. As Otherwise Ordered: Facial coverings are also required to the extent expressly required by any Executive Order of the Governor and as expressly stated in any Attachment to the Broward County Emergency Orders.

C. Exceptions to the Facial Covering Requirements. Even when facial coverings are not required under this Emergency Order, individuals are strongly encouraged to wear facial coverings when social distancing of at least 6 feet between people of different households cannot be consistently maintained.

1. Children under Two Years of Age: Children under the age of 2 should not wear facial coverings per CDC Guidelines.

2. Children in Licensed childcare facilities: Any child, regardless of age, while under the custody of a licensed childcare facility, including day care centers, is not required to wear a facial covering.

3. Shortest Interval Where Practically Impossible to Receive a Good or Service While Wearing a Facial Covering: People do not have to wear a facial covering for the shortest practical period of time that the person's activity makes wearing a facial covering impossible (such as eating, drinking, or while receiving a facial grooming). This exception applies to both establishments and to guests in private residences.

4. Disability or Medical Condition: A person with a disability or medical condition that prevents the person from wearing a facial covering is not required to wear a facial covering. However, an establishment can refuse entry to a person not wearing a facial covering provided the establishment complies with any applicable Americans with Disabilities Act ("ADA") requirements. Nothing in this section imposes any obligation on any establishment to permit entry to people not wearing facial coverings.

5. Certain Health or Public Safety Officials: Healthcare, public health and safety, fire, and other life safety personnel, while working in those capacities, are not required to comply with the facial covering requirements of this Emergency Order because their respective agencies or employers determine the applicable personal protective equipment requirements.

6. People Actively Engaged in Exercise: People do not have to wear a facial covering while actively exercising. Prior to commencing and immediately upon concluding an exercise activity, facial coverings must be worn.

7. People in the Water: People do not have to wear a facial covering while swimming or physically in a body of water (such as a pool or the ocean), but they must maintain social distancing of at least 6 feet between people not of the same household or group to the maximum extent reasonably possible.

8. Solitary Workers: People who are working are not required to wear a facial covering if (i) they can consistently maintain at least 6 feet of social distancing from people of a different household or (ii) they are the only person in a room, provided that such room is not a common area or other shared space of the building or office space, such as a cubicle. Whenever 6 feet of social distancing cannot be maintained, solitary workers must resume wearing a facial covering. This exception **does not apply** to workers at a retail, restaurant, food service establishment, bar, night club, or personal services establishment, indoor amusement facility, gym, or fitness center.

9. Personal Residences and Limited Visitors: Residents never have to wear facial coverings within their personal residential property (indoors or outdoors).

When there are no more than 4 visitors at the residential property, visitors also do not have to wear facial coverings. If more than four (4) visitors are present, then every visitor must wear facial coverings if the visitor cannot consistently maintain 6 feet of social distancing between the visitor and people from outside the visitor's household.

D. Responsibility. All establishments are responsible for ensuring all employees and patrons of their establishment comply with the facial covering requirements of this Emergency Order. No establishment shall serve or transact business with any person or patron who is not complying with the facial covering requirements of this section.

Residents of residential property are not individually liable for violations of the facial covering requirements by visitors, unless the residence is also functioning as an establishment, such as a home-based business. If the residence also functions as an establishment that conducts in-person transactions with the public, the establishment must ensure all persons comply with all requirements of this section during all such in-person transactions.

E. Enforcement. Failure to comply with any of the requirements set forth in this section by any person or any establishment is subject to enforcement by law enforcement, code enforcement officers, and any other personnel as provided under Florida law or the Broward County Code of Ordinances. Enforcement may be criminal and/or civil and may include misdemeanor charges with fines not to exceed $500 per violation, imprisonment not to exceed 60 days, or both, or civil fines of up to $1,000 per day per violation or fines of up to $15,000 per violation for a knowing violation that is irreparable or irreversible in

nature. While the collection of fines and penalties against individuals is currently suspended per Governor Ron DeSantis' Executive Order 20-244, individuals may still be cited. Citations will continue to be issued against individuals and businesses, and citations, fines, and penalties, will continue to be imposed against establishments violating this or any other provision of any County Emergency Order. Fines and penalties assessed against individuals will be collected upon expiration of the Governor's suspension of the collection of fines and penalties against individuals."

Section 4. Repeal of Section 5 of Broward County Emergency Order 20-21, as amended.

Section 5 of Broward County Emergency Order 20-21, as amended, is hereby repealed in its entirety.

Section 5. Amendments to Attachments to Broward County Emergency Order 20-21, as amended.

A. Attachment 2 (All Establishments Serving Food or Alcohol) to Broward County Emergency Order 20-21, as amended, is hereby replaced in its entirety with Attachment 2 to further specify the capacity limitations and other restrictions applicable to all establishments serving food or alcohol.

B. Attachment 6 (Community Rooms, Fitness Centers, and Gyms in Housing Developments) to Broward County Emergency Order 20-21 is replaced in its entirety with Attachment 6 hereto to eliminate the requirement that hot tubs, saunas, and steam rooms in housing developments remain closed.

C. Attachment 8 (Parks in Broward County) to Broward County Emergency Order 20-21 is replaced in its entirety with Attachment 8 hereto to provide that playgrounds and outdoor exercise equipment may open as deemed appropriate by the

respective governmental agency that owns or manages the applicable park.

D. Attachment 14 (Commercial Gyms and Fitness Centers) to Broward County Emergency Order 20-21 is replaced in its entirety with Attachment 14 hereto to provide that facial coverings need not be worn while a person is actively working out at a commercial gym or fitness center.

E. Attachment 20 (Events at Function Spaces) to Broward County Emergency Order 20-21, as amended, is replaced in its entirety with Attachment 20 hereto to further specify the capacity limitations applicable to such establishments.

Section 6. Applicability; Severability.

This Emergency Order supersedes and replaces any contrary provision in any prior Broward County Emergency Order. Except as superseded or preempted 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 7. Effective Date; Duration.

This order shall be effective at 12:01 a.m. on Friday October 2, 2020. 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: _____
Monica Cepero,
Acting County Administrator

RECEIVED AND FILED in the Records, Taxes and Treasury Division on this 30th day of September, 2020, at 8:33 a.m./p.m.

ATTACHMENT 2
ALL ESTABLISHMENTS SERVING FOOD OR ALCOHOL

Establishments serving food and/or alcohol must comply with all applicable guidelines in any Broward County Emergency Order, including **Attachment 1**, this **Attachment 2**, and any applicable CDC Guidelines.

A. Capacity Limits:

1. Establishments licensed to serve food can have a minimum indoor occupancy of 50%. Distancing requirements and table occupancy requirements do not apply to the extent they would preclude an establishment from operating at a minimum of 50% of their indoor capacity, but social distancing should be maintained to the maximum extent possible.

2. Establishments licensed to serve food may operate at greater than 50% and up to 100% of indoor capacity if the establishment maintains 6 feet of distance between occupied tables at all times; limits parties to no more than 6 people at a table at any one time; and ensures that people wear facial coverings at all times except when actively eating or drinking.

3. Establishments that are not licensed to serve food must operate at no more than 50% of the establishment's indoor capacity.

4. For all establishments subject to this **Attachment 2**, total combined occupancy of indoor and outdoor areas ("outdoor areas" means areas with exclusively open-air customer seating) shall not exceed existing total maximum occupancy (100%) for the establishment.

5. No more than 10 people may congregate at or near any establishment subject to this **Attachment 2** (*e.g.,* at the entrance, exit, waiting area, or near restrooms), including food trucks, at any time. Any person in line must maintain at least 6 feet between persons not of the same household. If more than 10 people are congregated around multiple food trucks, the food trucks must be separated by at least 50 yards.

B. Operations Requirements:

1. On-premises sale, service, and consumption of food and/or alcohol is prohibited between the hours of **11 p.m.** and **5 a.m.** This subsection does not limit or prohibit operations other than on-premises dining (including, food preparation/cooking, facility cleaning, or food delivery/take-out services) between the hours of **11 p.m.** and **5 a.m.**

2. Sale of alcohol for off-site consumption, including for pick-up, take-out, drive-through, and delivery, is prohibited between the hours of **11 p.m.** and **5 a.m.**

3. As provided in Section 2 of Emergency Order 20-24, 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.

4. Bar counters may be open to seating by the public, but at least 6 feet must be maintained between parties (parties refers to all people within a group or table; parties may not exceed 6 people). A plexiglass partition must be placed between patrons seated at a counter and any staff working on the other side of the counter.

5. All establishments must restrict ordering and consumption of food or beverages by patrons for on-premises consumption to only while such patrons are (i) seated at their assigned seat; or (ii) where required only to achieve the minimum capacity requirements, standing at an assigned table or in an assigned area and segregated in a group that is no more than 6 people that consistently maintains at least 6 feet of social distancing at the nearest point from any other patron or group of patrons. Patrons are not otherwise required to maintain 6 feet of social distancing when not consuming food or drinks provided that they are wearing facial coverings.

6. People must wear facial coverings at all times including while standing, seated at a table, moving around the establishment, or on the dance floor as required by the facial covering requirements. People may only remove their facial covering for the shortest amount of time necessary to eat or drink, or as otherwise permitted by a Broward County Emergency Order.

7. All establishments subject to this Attachment, including bars and nightclubs must conspicuously post the Restaurants and Food Establishments Required Signage in accordance with Emergency Order 20-23.

8. Except to the extent prohibited by Section B.2 above, drive-through, curbside take out, or delivery service may continue in accordance with CDC Guidelines and all applicable Broward County Emergency Orders, provided that social distancing of at least 6 feet between persons not of the same household is maintained at all times and the patron(s) obtaining the food or beverage(s) immediately leave the establishment upon receipt of the ordered items.

9. Ensure adequate supplies to support healthy hygiene practices for both employees and customers, including soap, hand sanitizer with at least 60% alcohol, and tissues, and make hand sanitizer readily available to guests. Signs on how to stop the spread of COVID-19, including signs on properly washing hands, everyday protective measures, facial coverings, and social distancing should be conspicuously posted.

10. To the extent possible, establishments shall provide single use disposable one-time menus, utilize chalkboard menus, digital menus that are sanitized after each

use, other digital menu options available on a personal device, or other means to avoid customers sharing such items.

11. Whenever possible, use disposable (and when possible, biodegradable) food service items (utensils, dishes, cups, etc.) and single serving seasonings and condiments to avoid customers sharing such items. If disposable items are not feasible, ensure that all non-disposable food service items are handled with gloves and are washed in between each customer usage with dish soap and hot water or in a dishwasher. Establishments must use packets or pre-rolled bags or wraps of utensils and eliminate table presets. Avoid using food and beverage implements brought in by customers.

12. Use touchless payment options whenever available. Ask customers and employees to exchange cash or card payments by placing on a receipt tray or on the counter rather than passing hand to hand. Sanitize any pens, counters, or hard surfaces between each use.

13. Ensure that ventilation systems operate properly to provide adequate air circulation in all parts of the facility and increase circulation of outdoor air as much as possible by opening windows and doors, using fans, or other methods.

14. Provide physical guides, such as tape on floors or sidewalks, to ensure that customers remain at least feet 6 apart when in lines. Ask customers to wait in their cars or away from the establishment while waiting for a table or to pick up food. If possible, alert patrons on their cellphone that their table or food is ready to avoid use of restaurant provided "buzzers." Post signs to inform customers of food pickup protocols.

15. Use placards or other easily visible means to identify tables closed due to social distancing and to identify tables that have been sanitized and are ready for the next use.

16. Restrict the number of employees in shared spaces, including kitchens, break rooms, and offices to maintain at least a 6-foot distance between people if possible; employees must wear facial coverings. Where possible, stagger workstations instead of having employees standing opposite one another. If there is a break room, limit the number of employees simultaneously allowed inside.

17. Wherever possible, install physical barriers, such as sneeze guards and partitions, at cash registers, check-in stations, food pickup areas, and other areas where consistently maintaining physical distance of 6 feet is difficult.

18. Ensure that all suppliers and third-party delivery staff are aware of social distancing requirements of at least 6 feet.

19. Child gaming and play spaces, including bounce houses, playgrounds, and ball pits, located in dining establishments must remain closed.

20. Adult games, including darts, arcade games, billiards, and other similar games, may operate provided that all other requirements of this **Attachment 2** are

complied with, including the requirement that food and beverages be consumed exclusively while patrons are seated at their assigned table. While playing games, patrons are not permitted to consume food or drinks and must continue to adhere to the facial covering requirements of Broward County Emergency Orders.

21. Consider options for a reservations-only model or to have dine-in customers order ahead of time to limit the amount of time spent in the establishment.

22. All buffet-style food or salad bars must be served by staff. Self-service buffets and salad bars are prohibited. Self-service drink stations must provide single use tissues or wipes to use the equipment, and the stations must be washed and sanitized frequently. Remove cut fruit, unwrapped utensils, and unwrapped straws from drink stations.

23. Any rental of space at the establishment for a private event must also comply with the guidelines for function spaces stated in **Attachment 20**.

24. Any performer providing live entertainment at the establishment must maintain at least 10 feet of distancing from patrons at all times.

C. Sanitation and Safety Requirements:

1. Employers must enforce hand washing and use of facial coverings by employees in accordance with Broward County Emergency Orders. This includes the requirement that all staff must wear facial coverings at all times. All employees handling, preparing, or serving food must wear facial coverings. Food preparers are also required to wear gloves while handling food.

2. Clean and disinfect frequently touched surfaces (for example, door handles, workstations, cash registers), and frequently shared objects (for example, payment terminals, tables, countertops/bars, receipt trays, pens, condiment holders, and any re-used menus) between each use. Tables and other dining areas must be sanitized after each use. Host stations must be sanitized at least hourly. Use products that meet EPA's criteria for use against COVID-19 and that are appropriate for the surface.

3. Restrooms must be sanitized no less frequently than hourly.

4. Implement procedures to increase how often you clean and sanitize surfaces in the back-of-house (non-public areas of the establishment). Ensure that disinfectants used on food contact surfaces are appropriate and do not leave a toxic residue.

5. Train all employees in the above safety protocols, in addition to the importance of frequent handwashing, and give them clear instructions to avoid touching hands to face.

6. Conduct daily health checks (*e.g.*, temperature and/or symptom screening) of employees in accordance with any applicable privacy laws and regulations. Remind

employees to report any illness to their manager and have them verify that they have not had any COVID-19 symptoms each day prior to them coming to work.

7. Employees with symptoms of COVID-19 (fever, cough, or shortness of breath, among others) at work should immediately be sent home. Provide with or refer sick staff members to the CDC guidelines and advise them not to return until they have met the CDC's criteria to discontinue home isolation. Sick employees not exhibiting COVID-19 symptoms should also be immediately sent home and not be allowed to return until they are symptom-free.

8. Notify local health officials, staff, and customers (if possible) immediately of any confirmed case of COVID-19 while maintaining confidentiality as required by HIPAA, the Americans with Disabilities Act (ADA), or other applicable laws.

9. Deep clean the establishment at least once every twenty-four hours.

ATTACHMENT 6
COMMUNITY ROOMS, FITNESS CENTERS, AND GYMS IN HOUSING DEVELOPMENTS

No community room, fitness center, or gym is required to be opened if the housing development does not wish to do so or believes it cannot do so safely and in full compliance with the requirements of this Emergency Order; any decision by a particular housing development is also subject to any applicable internal rules or regulations of that entity. Housing developments may impose more stringent restrictions beyond those required by a Broward County Emergency Order.

A. Capacity Requirements:

1. Maximum 50% occupancy. Social distancing requirements do not apply to members of the same household or family.

2. Community rooms, fitness centers, and gyms shall be limited to residents of the housing development, their families, and their guests. However, to the extent a community room is being used as a function space for events, such community room may be open to people other than residents, their families, and their guests, provided that there is compliance with **Attachment 20.**

3. Exercise machines, equipment and tables must be rearranged and/or closed for use to ensure at least 6 feet of distance between patrons using such machines, equipment, or tables. Social distancing guidelines provided by the CDC shall be adhered to at all times.

4. No multi-player games (*e.g.*, mahjong, poker, etc.) are permitted in the community rooms between persons who do not reside in the same household, unless all participants wear facial coverings irrespective of social distancing.

B. Sanitation and Safety Requirements:

1. Before reopening, the community room, fitness center, or gym (as applicable) must be thoroughly deep cleaned, disinfected, and sanitized. After opening, community rooms, fitness centers, and gyms must be deep cleaned daily.

2. Housing developments shall provide disinfecting wipes, and patrons shall be required to wipe down each machine they used after each use.

3. Hand sanitizer shall be available at the facility. Patrons must be informed that they must sanitize their hands when entering the gym and prior to utilizing each piece of equipment.

C. Gym and Fitness Center Amenities:

1. Hot tubs may operate subject to compliance with this **Attachment 6** and applicable CDC Guidelines. Steam rooms and shower facilities must remain closed.

ATTACHMENT 8
PARKS IN BROWARD COUNTY

Except as otherwise set forth herein, all parks in Broward County, including Regional, Specialty, and Neighborhood Parks, Nature Centers, and Natural Areas (collectively "Parks in Broward County"), may be open to public access on a limited basis, subject to the limitations set forth in this **Attachment 8**. Conducting any activities in a way that deviates from said guidelines is prohibited.

Tennis facilities, basketball courts, and other similar recreational amenities that are not located in Parks in Broward County may open as determined by the owner or operator of such facilities, provided the owner or operator ensure that the use thereof is in full compliance with all applicable requirements of this **Attachment 8**, notwithstanding that such use is not occurring in a Park in Broward County.

Specific establishments (including businesses and amenities) operating within Parks in Broward County may operate consistent with the guidelines applicable to that specific use, unless otherwise prohibited by contract or other applicable requirement. For example, marinas, boat docks, ramps, and other launching venues in Parks in Broward County may operate consistent with **Attachment 9**, and community centers and other buildings located within Parks in Broward County may operate consistent with the guidelines applicable to all establishments (**Attachment 1**) and any other attachments applicable to the particular activity taking place at the community center or building (*e.g.*, if a community center is being used as a fitness facility, the guidelines applicable to fitness centers (**Attachment 14**) must be followed).

Operating Requirements:

1. Hours of operation will be determined by the respective government agency that owns or manages the applicable park. The opening of private parks will be governed by the municipality where they are located, but if opened, any such private parks must operate in compliance with the minimum requirements of this **Attachment 8**. Notwithstanding this Emergency Order permitting the reopening of Parks in Broward County, certain Parks in Broward County may remain closed to public access as determined appropriate by the owner or operator of the park.

2. Except as otherwise expressly stated in this **Attachment 8**, no groups of more than 10 people shall congregate in any area of any Park in Broward County.

3. Organized sports are permitted at Parks in Broward County and are not subject to the 10-person limitation in Section 1 above. Organized sport means a sport such as soccer, baseball, basketball, softball, boxing, and other recognized sport that is part of an established athletic league or part of an organized program (municipal or otherwise). Organized sports include training and practice sessions and matches. Individuals who are exercising in their personal capacity and not training as part of an organized sport (*i.e.*, participating in a regular fitness class, using gym

equipment as part of a normal workout, including with a personal trainer or coach, or playing a "pick up" game or sport for leisure) do not fall within the definition of "organized sport."

4. Organized sports may have spectators provided that the athletic league or organized sport program complies with the requirements of **Attachment 19**.

5. All sports, other than organized sports must be limited to no more than 10 people.

6. Indoor and outdoor exercise equipment, playgrounds, and splash pads may open for public use as deemed appropriate by the entity that owns or manages the applicable park. The entity that owns or manages the applicable park must sanitize all exercise, playground, and other equipment on a regular basis.

7. Any indoor or outdoor event at a Park in Broward County that has between 10 and 100 people must comply with **Attachment 20**. Indoor events at Parks in Broward County exceeding 100 people are strictly prohibited. Outdoor open-air events at Parks in Broward County exceeding 100 people are prohibited unless operating pursuant to an operational plan approved in accordance with Section 1.B(21) of Emergency Order 20-21, as amended.

8. All CDC Guidelines regarding social distancing must be observed at all times by all persons using any Park in Broward County.

9. Facial coverings must be worn at all times to the extent social distancing of at least 6 feet cannot be consistently maintained between members of the same household or group and other groups. However, facial coverings are not required to be worn by people who are actively exercising. While exercising, people should continue to maintain at least 6 feet of social distancing to the maximum extent possible.

10. To the extent practicable, walking paths and trails shall be used only in a one-way direction to help maintain social distancing, and signage posted that appropriate social distancing of at least 6 feet should be maintained between persons when passing.

ATTACHMENT 14
COMMERCIAL GYMS AND FITNESS CENTERS

Commercial gyms and fitness centers, including, but not limited to, dance studios, martial arts studios, yoga studios, spinning studios, ice rinks, personal training services, and similar establishments, must comply with all applicable provisions of this **Attachment 14**.

Patrons must wear facial coverings at all times except while (a) in a pre-swim shower or swimming pool, or (b) while actively exercising. Facial coverings must be worn while entering, exiting, or otherwise moving within the establishment.

A. Occupancy and Access:

1. Monitor building occupancy and restrict customer access to no more than 50% of the building's maximum occupancy.

2. Provide an exit from the facility separate from the entrance, when possible.

3. Social distancing of at least 6 feet does not apply to members of the same household.

B. Sanitation and Safety Requirements:

1. Make readily available dispensers of a disinfectant included on the EPA List N: Disinfectants for Use Against SARS-CoV-2 (https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2) and provide patrons with sufficient cleaning materials, including disposable wipes, at all entrances and at various locations throughout the facility. Hygiene signage must be prominently displayed at all entrances. All employees and patrons must be required to sanitize their hands:

   a) Upon entering the facility (or before beginning their fitness activities if conducted outdoors);

   b) After using each piece of equipment; and

   c) Upon completing their fitness routine.

2. Social distancing markers of at least 6 feet should be placed in front of the reception/membership desk and all other appropriate areas.

3. Equipment stations must be appropriately distanced (at least 6 feet between each piece of cardiovascular equipment or exercise station

4. Fitness classes must be restricted in number of attendees to ensure social distancing of at least 6 feet between persons in all directions unless there are non-cloth protective barriers, such as plexiglass or panels, placed to separate each attendee. Markers must be placed to indicate the appropriate distance.

5. Aquatic programs must be limited as to class size to meet the 6-foot distance requirement; in lap lanes, the 6-foot requirement is deemed met while swimming laps provided no more than one person is using a lane at any time. Lap lane sharing is prohibited except by members of the same household.

6. Social distancing of at least 6 feet between persons engaged in any physical activity should be measured from head to head.

7. Disinfecting wipes must be available throughout the facility and patrons must sanitize each machine after use. Equipment must be allowed to fully dry before next use. Staff must monitor the floor and exercise area to sanitize any and all equipment if a patron fails to do so. Surfaces to be sanitized include but are not limited to:

a) Hand grips on cardio equipment such as treadmills, bicycles, ellipticals;

b) Hand grips on dumbbells, weight bars, and other strength-training systems;

c) Pads/cushioned components such as fitness mats, bike seats, lifting benches, and other cushioned components of strength training machines;

d) Fitness balls, rope handles, and other fitness accessories;

e) Touch screens on exercise equipment; and

f) All seating, counters, weights, weight bars, mats, machines, and all other fitness equipment upon closing the facility each day.

8. Ensure that all products used to sanitize have adequate time to dry, which drying time is essential to ensuring the safety of workers and patrons.

9. Remove any unnecessary chairs, tables, or other furniture and all magazines and similar shared items.

10. Discontinue providing heart monitors, mats, blocks, bolsters, or similar equipment to customers.

11. During daily operation, routinely clean and disinfect surfaces, particularly high-touch surfaces such as faucets, toilets, doorknobs, light switches, and all furniture/equipment that is in use.

12. Restrooms must be sanitized no less frequently than hourly. Soap must be readily available for patrons.

13. Deep clean the facility at least once every 24 hours.

C. Operational Requirements:

1. Patrons must have their temperature taken upon entrance, including any children exercising or entering a child-care program. Any patron with a temperature above 100.4 degrees Fahrenheit or who appears to have flu-like symptoms or other symptoms related to COVID-19 must be denied entry to the facility.

2. Employees must wear facial coverings, and have temperature checked prior to commencing work each day. Any employee with a temperature above 100.4 degrees Fahrenheit or who appears to have flu-like symptoms or other symptoms related to COVID-19 upon arrival at work, or who becomes sick during the day, must immediately be separated from other employees, customers, and visitors, and sent home.

3. Signs on how to stop the spread of COVID-19, including signs on properly washing hands, everyday protective measures, facial coverings, social distancing, and requirements for patrons to sanitize equipment after use, must be conspicuously posted.

4. Keep doors open between separate fitness areas or rooms of the facility to reduce surface touching by multiple people. Open windows where feasible to improve ventilation in the facility.

5. Remove all unnecessary, frequently touched items like magazines, newspapers, and service menus from customer waiting areas and locker rooms.

6. Hot tubs, saunas, steam rooms, and shower facilities must remain closed, except for showers at facilities with pools but only for use to shower prior to entering the pool.

7. Consider offering "senior hours" or designated times for elderly and high-risk groups to safely exercise.

ATTACHMENT 20
EVENTS AT FUNCTION SPACES

Ballrooms, banquet halls, catering halls, and other event spaces that have a Chapter 509 Florida License from the Department of Business and Professional Regulations, Division of Hotels and Restaurants (collectively, "Function Spaces"), may operate subject to the regulations in this **Attachment 20** and any other applicable rules in the County's Emergency Orders, including the facial covering requirements in Broward County Emergency Orders. This Attachment applies to both indoor and outdoor Function Spaces.

A. Capacity Requirement:

1. The Function Space must comply with the applicable capacity requirements in Section A of **Attachment 2** (All Establishments Serving Food or Alcohol) of Broward County Emergency Order 20-21, as amended.

B. Operational Requirements:

1. Each event held at or in a Function Space that is expected to be attended by 10 or more people must have a designated monitor to ensure safeguards and protocols, including all required by this Attachment and all relating to facial coverings, are in place and are properly followed by hosts, guests, vendors, and staff.

2. Function Spaces wishing to hold or host any events must enter into a contractual agreement with the customer wishing to have an event at the Function Space. Such agreement must, at a minimum, meet the following requirements:

a. The contract between the Function Space and the customer must outline all applicable requirements of Broward County's Emergency Orders, including social distancing and facial covering requirements.

b. The contract must clearly state that for purposes of the contract and applicable Broward County Emergency Orders, the word "household" refers to a group of persons that are residing together in the same home and not just persons that are of the same family but do not live together.

c. Upon entering into a contract, the customer booking the Function Space must be provided with a copy of the most up-to-date versions of **Attachment 1**, **Attachment 2**, and **Attachment 20** to Broward County Emergency Order 20-21, as amended.

d. The contract between the Function Space and the customer must clearly state that failure to abide by all applicable Broward County Emergency Orders in connection with the event will immediately result in the event being suspended by the operator of the Function Space, and all those in violation of a Broward County Emergency Order will be immediately removed from the premises and may be subject to civil or criminal penalties.

3. Service of food and/or drinks must comply with **Attachment 2** of Emergency Order 20-21, as amended.

4. All guests must have pre-assigned tables. Guests should be informed of their assigned table prior to the event in order to avoid the need for table cards. In the event table cards are needed, such tables must be spread out to the fullest extent needed to prevent crowding.

5. Food and drinks may only be consumed while customers are seated at their assigned tables.

6. Food and drinks must be served by Function Space staff. No self-service buffets, family-style meals, or passed hors d'oeuvres are allowed.

7. Guests must wear facial coverings in accordance with Broward County Emergency Orders, which requires guests to wear facial coverings at all times except when actively eating or drinking. Guests do not have to wear facial coverings for the shortest practicable period of time required to take a photograph, provided that facial coverings are worn immediately before and after the picture has been taken. Staff working the event must wear facial coverings at all times.

8. For events where a cake will be displayed, the cake must be out of reach of guests. Any cake consumed at the event must be served to guests by staff or designated personnel as stated in Section A.6 of this Attachment.

9. For events with dessert tables, the dessert tables must be out of reach of guests. Any desserts consumed at the event must be served to guests by staff or designated personnel as stated in Section A.6 of this Attachment.

10. All activities that encourage people to congregate should be avoided (*e.g.,* bouquet or garter toss).

11. During Cocktail hours or receptions, guests must be seated at their assigned tables, including while ordering and consuming food and drinks.

12. Any performer providing live entertainment at the Function Space must maintain at least 10 feet of distancing from guests at all times.

C. Sanitation Requirements:

In addition to following all applicable requirements in **Attachment 1** and **Attachment 2** of Emergency Order 20-21 as amended, all Function Spaces must comply with the following requirements:

1. The Function Space must use air filters that are MERV 17 rated (or better) to allow for enhanced air quality. Alternatively, the Function Space may use an iWave machine with ionization, an U.V. light device, or other similar device in the air handler unit to allow enhanced air quality.

2. Hand sanitation stations must be available throughout the Function Space and at all entryways and exit doors.

3. To the extent possible, events should be held outdoors.

D. Signage Requirements:

Function Spaces must post the signage required by Emergency Order 20-23. If the function space is operating as a food establishment or restaurant, the signage for *Restaurants* must be posted in addition to the signage required for all *Establishments Conducting In-Person Business With The General Public*. The required signage is available at https://www.broward.org/CoronaVirus/Pages/EmergencyOrders.aspx.