

EMERGENCY DECLARATION
OF THE CITY OF DELRAY BEACH, FLORIDA
DATED MARCH 28, 2020

WHEREAS, on March 13, 2020 a State of Emergency was declared in the City of Delray Beach relating to the Novel Coronavirus Disease 2019 (“COVID-19”); and

WHEREAS, in accordance with the provisions of Section 252.38(3)(a), Florida Statutes, the local state of emergency has been extended for additional seven (7) day periods on March 20, 2020 and March 27, 2020; and

WHEREAS, as of today, the City is aware of confirmed cases of COVID-19 in the jurisdictional boundaries of the City of Delray Beach and, in order to limit the potential community spread of COVID-19, it is now necessary for the City of Delray Beach to implement restrictions for the general health, safety, and welfare of the community; and

WHEREAS, pursuant to Section 252.46, Florida Statutes and Chapter 95 of the Code of Ordinances, the City has the power to issue emergency orders with the force of law; and

WHEREAS, since the outbreak of COVID-19, numerous local governments and multiple states have adopted various versions of “stay at home” and “safer at home” orders as well as curfews designed to protect the health and well-being of the community, to create social distancing, and to minimize contact in an effort to limit community spread of COVID-19; and

WHEREAS, there are reasons to believe that it is essential to take whatever prudent action is necessary to ensure the health, safety, and welfare of the residents of the City of Delray Beach and the public at large; and

WHEREAS, Section 95.05 and Resolution 70-20 of the City of Delray Beach expressly authorize the City Manager to issue Emergency Orders made in furtherance of the declaration of state of emergency.

NOW, THEREFORE, I, George Gretsas, City Manager of the City of Delray Beach, County of Palm Beach, State of Florida, acting under the authority granted to municipalities by Florida Statutes 252.38, et seq., 501.160 and Executive Order 20-52 promulgated by Governor Ron Desantis on March 9, 2020, the authority granted me by Chapter 95 of the City of Delray Beach Code of Ordinances, and Resolution 70-20, hereby ORDER and promulgate the following additional Local Emergency Measures for the City of Delray Beach effective March 30, 2020 at 12:01 a.m.

Section 1. Each resident of the City of Delray Beach is hereby ordered to stay home and within the entirety of their owned or rented property. The order to stay at home does not require residents to confine themselves to the interior of their homes. Residents may make use of all exterior portions of their homes such as patios, porches, yards, and driveways. Residents may also leave their place of residence and travel to another place in accordance with Section 3, below.

Section 2. All non-essential travel, including, without limitation, travel on scooter, motorcycle, automobile, or use of public transit is prohibited subject only to the exceptions permitted in Section 3 below.

Section 3. Notwithstanding Section 1 and 2, all residents and visitors in the City may lawfully engage in the following activities:

- a) Essential Retail and Commercial Businesses. Residents and visitors may engage in travel to seek goods and services from essential retail and commercial businesses as defined in City of Delray Beach Resolution 75-20 as may be amended or extended.
- b) Emergency Assistance. Residents and visitors may engage in travel and similar activities to obtain assistance from law enforcement, fire-rescue, or other emergency services.
- c) Personal Support Activities. Residents and visitors may travel to and from their homes to care for or support a family member.
- d) Work in Support of Essential Businesses. Residents and visitors in the City may continue to perform work for and in support of essential retail and commercial businesses authorized to be open to the public in accordance with Resolution 75-20, any local government, the State government, or the Federal government.
- e) Outdoor Recreational Activities. In areas not otherwise closed by a separate Emergency or Executive Order, residents may engage in outdoor activity and recreation with immediate family members that live in the same household, caretakers, or household members while staying six (6) feet apart from another person or group of people.
- f) Religious Activities. Residents and visitors may travel to and from places of worship.
- g) Government Employees and Emergency Personnel. All first responders, gang and crisis intervention workers, public health workers, emergency management personnel, emergency dispatchers, law enforcement personnel and related contractors, persons working for emergency service providers, and government employees performing work in the course and scope of their employment are categorically exempt from this Order.

Section 4. Effective March 30, 2020 at 12:01 a.m., a general curfew is hereby established throughout the City of Delray Beach. The curfew will be in effect daily from 12:01 a.m. to 6:00 a.m. and shall include but not be limited to the prohibition of pedestrian and vehicular movement, standing, and parking. The following exceptions shall apply within the City of Delray Beach:

- a) Provision of essential state, county, and City of Delray Beach emergency services such as fire-rescue, police, and hospital services, related government services, including the transportation of patients thereto;
- b) Utility emergency repairs;

- c) Emergency calls by physicians;
- d) Food delivery and third-party food delivery services;
- e) Walking of dogs within 250 feet of the owner's residence; and
- f) Travel to and from work by employees of Essential Retail and Commercial Businesses as defined in Resolution 75-20.

Section 5. A person in a public space shall:

- a) Practice social distancing by staying six (6) feet away whenever practicable from another person, excluding immediate family members, caretakers or, household members;
- b) Cover all coughs and sneezes with their elbow or tissue;
- c) Not shake hands;
- d) Not enter any public place if the person exhibits any flu or COVID-19 like symptoms and/or has a fever over 99.9 degrees Fahrenheit unless that person is traveling to or from a hospital, doctor's office, urgent care, walk-in clinic, or pharmacy;
- e) If a person is exhibiting flu or COVID-19 like symptoms or has a fever over 99.9 degrees Fahrenheit and is seeking medical treatment, the person shall first contact their medical provider by phone before appearing at the medical provider's office; and
- f) If a person is exhibiting flu or COVID-19 like symptoms or has a fever over 99.9 degrees Fahrenheit and requires a prescription or a refill thereof and the pharmacy has a delivery service, that person shall utilize the delivery service to receive their medication.

Section 6. All public and private gatherings of any number of people occurring outside a residence are prohibited except for gatherings between family members, caretakers, or household members provided such gathering does not exceed ten (10) people or as may be provided for in Resolution 75-20

Section 7. Nothing in this Order shall be construed to limit or restrict movement or use of the public rights of way for use by other local governments, the state government, and federal government or their employees while engaged in their official duties.

Section 8. This Order is in addition to, and supplements, the City's Emergency Orders and Resolutions. All requirements of City Emergency Orders, County Emergency Orders, and State of Florida Executive Orders shall be strictly adhered to at all times and enforceable pursuant to the City of Delray Beach Code of Ordinances and Section 252.50, Florida Statutes.

Section 9. This Emergency Order is effective as of 12:01 a.m. on March 30, 2020 and shall remain in full force and effect until 11:59 p.m. April 16, 2020.

ORDERED ON AND FILED WITH THE CLERK OF THE CITY OF DELRAY BEACH ON
MARCH 28, 2020.

Ordered by: 
City Manager George Gretsas

Ratified by the City Commission on _____