

SUNRISE, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SUNRISE, FLORIDA, EXTENDING SECTION 2 OF ORDINANCE NO. 654, AS AMENDED, THROUGH NOVEMBER 16, 2021 AND FUNCTIONING AS THE NINTH EXTENSION OF SUNRISE EMERGENCY ORDINANCE NO. 654 WHICH DECLARED A STATE OF LOCAL EMERGENCY IN THE CITY OF SUNRISE, FLORIDA AND AUTHORIZED THE CITY MANAGER TO ISSUE WEEKLY DECLARATION(S) OF THE STATE OF EMERGENCY; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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 with symptoms similar to those of influenza; and

WHEREAS, in March 2020, the World Health Organization (WHO) declared COVID-19 a global pandemic; the President of the United States declared a National Emergency; the Governor of the State of Florida declared a State of Emergency; Broward County declared a state of Emergency; and

WHEREAS, on March 18, 2020, the City of Sunrise declared a State of Local Emergency by enacting Emergency Ordinance No. 654 which also empowered the City Manager to take certain actions and issue Declaration(s) of Emergency Regulations, reserved certain powers to the City Commission, designated the Chief of Police as the City Official for Chapter 870, Florida Statutes, and provided for penalties for violations; and

WHEREAS, on May 12, 2020, the City of Sunrise adopted Ordinance No. 654-20-A which further adopted and extended the provisions of Emergency Ordinance No. 654 for an additional 60 days which expire on July 17, 2020; and

WHEREAS, on July 14, 2020, the City of Sunrise adopted Ordinance No. 654-20-B which further adopted and extended the provisions of Emergency Ordinance No. 654 through September 15, 2020; and

WHEREAS, on September 8, 2020, the City of Sunrise adopted Ordinance No. 654-20-C which further adopted and extended the provisions of Emergency Ordinance No. 654 through November 14, 2020; and

WHEREAS, on November 10, 2020, the City of Sunrise adopted Ordinance No. 654-20-D which further adopted and extended the provisions of Emergency Ordinance No. 654 through January 13, 2021; and

WHEREAS, on January 12, 2021, the City of Sunrise adopted Ordinance No. 654-21-A which further adopted and extended the provisions of Emergency Ordinance No. 654 through March 12, 2021; and

WHEREAS, on March 9, 2021, the City of Sunrise adopted Ordinance No. 654-21-B which further adopted and extended the provisions of Emergency Ordinance No. 654 through May 15, 2021; and

WHEREAS, on May 11, 2021, the City of Sunrise adopted Ordinance No. 654-21-C which further adopted and extended the provisions of Emergency Ordinance No. 654 through July 16, 2021; and

WHEREAS, on July 13, 2021, the City of Sunrise adopted Ordinance No. 654-21-D which further adopted and extended the provisions of Emergency Ordinance No. 654 through September 17, 2021; and

WHEREAS, commencing on March 25 and every Wednesday thereafter, the City Manager has exercised the authority given to him by Emergency Ordinance No. 654, as amended, and extended the City's Declaration of Local State of Emergency; and

WHEREAS, the City Commission and the City Manager have issued Sunrise Declarations of Emergency Regulations which were suspended by the Governor's Executive Order 21-102; and

WHEREAS, the Governor's Executive Order 21-94 extended the state of emergency through June 26, 2021 for the State of Florida, and the Governor did not renew his state of emergency; and

WHEREAS, Broward County issued a Declaration of Emergency on March 10, 2020, and the County Administrator continues to renew that Declaration of Emergency every seven days since March 10, 2020 <https://www.broward.org/CoronaVirus/Pages/EmergencyOrders.aspx#County%20Declarations>; and

WHEREAS, Section 2 of Ordinance No. 654 authorized the City Manager to extend the local declaration of state of emergency, after consultation with the Chief of Police and Fire Chief, in additional seven (7) day increments provided a national state of emergency,

declared state of emergency for the State of Florida, or declared state of emergency for Broward County exists; and

WHEREAS, the declaration of a local emergency is necessary for the City to receive state and federal funding related to COVID-19; and

WHEREAS, pursuant to Section 3.13 of the City's Charter, Florida Statutes Chapters 166, 252 and 870 and the Declaration of State of Emergency existing since March 9, 2020, the City Commission can enact ordinances to meet a public emergency affecting life, health, property, safety or the public peace; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SUNRISE, FLORIDA:

Section 1. The foregoing Whereas clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

Section 2. By its terms, Ordinance No. 654-21-D extended Ordinance No. 654, as amended, through September 17, 2021. The City Commission hereby adopts, incorporates, and extends Section 2 of Ordinance No. 654, as amended, through November 16, 2021.

Section 3. Conflict. All ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 4. Severability. Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Section 5. Effective Date. This Ordinance shall be effective immediately upon its passage and shall expire on November 16, 2021 unless extended by the City Commission.

PASSED AND ADOPTED upon this first reading this _____ DAY OF _____, 2021.

PASSED AND ADOPTED upon this second reading this _____ DAY
OF _____, 2021.

Mayor Michael J. Ryan

Authentication:

Felicia M. Bravo
City Clerk

FIRST READING

MOTION: _____
SECOND: _____

DOUGLAS: _____
GUZMAN: _____
KERCH: _____
SCUOTTO: _____
RYAN: _____

Approved by the City Attorney
as to Form and Legal Sufficiency

SECOND READING

MOTION: _____
SECOND: _____

DOUGLAS: _____
GUZMAN: _____
KERCH: _____
SCUOTTO: _____
RYAN: _____

Kimberly A. Kisslan