

Broward County Emergency Orders 20-12 and 20-13 Frequently Asked Questions

1. *What do Emergency Orders 20-12 and 20-13 do?*

Generally speaking, except for specific types of businesses that must remain closed (see FAQ 4), Emergency Order 20-12 ("EO 20-12") and 20-13 ("EO 20-13") allow most businesses, establishments, and amenities in Broward County (collectively "establishments") to resume operations subject to the restrictions in EO 20-12 and EO 20-13 and the attachments thereto. These orders supersede any contrary provision in any prior Broward County Emergency Order.

2. *Social Distancing: When do the social distancing requirements apply?*

Whenever you are outside of your home, you should keep at least six feet between yourself and any person who does not live in your household.

3. *Facial Coverings: Who has to wear them and when?*

Facial coverings help prevent the spread of COVID-19 and help keep you and those around you safe. Facial coverings are in addition to, and not a substitute for, the required social distancing. Absent an express exception, facial coverings must be worn by:

- Workers in an establishment of any type that is permitted to operate in Broward County while engaged in in-person interactions with the public.
- Members of the public when obtaining any good or service or otherwise visiting any establishment in Broward County, including when entering, exiting, and moving around such establishment.
- Workers in restaurants or other food establishments, regardless of their distance from other persons, while involved in the preparation or handling of food, unless doing so would pose a hazard or health issue.

The only exceptions are as follows:

- Children of any age while in the custody of childcare facilities
- Children under the age of 2
- Persons who have difficulty breathing or a medical condition that otherwise makes the wearing of a facial covering unsafe
- Certain public safety personnel
- Persons for whom wearing a facial covering is subject to a religious objection.

For additional details, see Broward County Emergency Order 20-12.

4. *What is open/closed in Broward County?*

All establishments in Broward County may resume operations subject to the requirements of EO 20-12 and EO 20-13 and any attachments thereto, except for those establishments listed in Section 2 of EO 20-12, as amended. The establishments that must remain closed at this time are:

- a. Bars, pubs, night clubs, banquet halls, cocktail lounges, cabarets, and breweries, except for food take-out or delivery services;
- b. Movie theaters, concert houses, auditoriums, playhouses, bowling alleys, and arcades, except that drive-in movie theaters are allowed to operate in accordance with EO 20-12;
- c. Vacation rentals (except as permitted by the Governor's Executive Order 20-87);

- d. Until May 26, 2020, hotels, motels, and other commercial lodging establishments except to serve essential lodgers as defined in EO 20-12, Section 2.C;
- e. Until May 26, 2020, pools other than public community pools, private club pool (JCC, YMCAs, etc.), and pools in housing developments. On May 26, 2020, all pools may resume operations subject to the applicable attachments in EO 20-12, as amended;
- f. Hot tubs, saunas, and steam rooms;
- g. Tattoo parlors;
- h. Massage parlors (except healthcare facilities where massages are performed by licensed therapists for medically necessary reasons and in compliance with all applicable conditions in Section 5 of the Governor's Executive Order 20-112); and
- i. Until May 26, 2020, commercial gyms and fitness centers. On May 26, 2020, all commercial gyms and fitness centers may resume operations subject to the applicable attachments in EO 20-13.
- j. Pari-mutuel Facilities (as defined by Florida Statutes Section 550.002(23), except for when the establishment is being utilized for a use expressly permitted under a Broward County Emergency Order or by a professional sports team to conduct or host a training, competition, event , or game in accordance with the Governor's Executive Order 20-123."

Please note that even if authorized to do so, establishments are not required to open. If an establishment does open, it may choose to impose stricter requirements on its employees or customers. To determine if a particular business is open and what requirements may apply to employees or customers of that business, please reach out to the business directly.

5. *May municipalities impose additional, stricter limitations?*

Yes. Municipalities may have stricter limitations than the County. Municipalities may also relax certain outdoor seating code restrictions to allow restaurants to expand their outdoor seating areas. Except as expressly allowed, municipalities may not relax the requirements of any Broward County Emergency Order or open any business that is expressly closed by any Broward County Emergency Order.

6. *Must the owner of an establishment be present to ensure compliance with the guidelines set forth in the County's emergency orders?*

No, the owner is not required to be present, but the business is only permitted to operate in compliance with the applicable guidelines, which may require designated personnel to be on site to ensure such compliance. Prior to opening, the business must have established protocols to ensure compliance with all applicable requirements.

7. *Are all gyms and fitness centers open?*

After May 26, 2020, yes, subject to the limitations of EO 20-12 (for housing developments) and EO 20-13 (for commercial gyms and fitness centers). Until then, only gyms and fitness centers located within multi-family housing developments or community associations may open, subject to the limitations of EO 20-12.

8. *Are establishments required to open?*

No. While most establishments are permitted to open subject to requirements, establishments are not required to open. Other considerations may influence whether a business determines it can safely reopen. Please contact establishments directly for more information.

9. What are the current restaurant occupancy limits?

Indoor seating areas are limited to 50% maximum capacity of the establishment. The combined total number of persons present in the indoor and outdoor areas must not exceed the combined total maximum capacity of the restaurant. For example, if a restaurant capacity limit is 100 patrons and the restaurant has 10 workers (note: workers are not included in the calculation), the restaurant can sit 50 patrons indoors and 50 patrons outdoors, or 30 patrons indoors and 70 patrons outdoors. Per the Governor's Executive Order 20-123, workers are excluded from the calculations.

10. Do occupancy limits apply to businesses that were already operating prior to Broward County entering Phase 1?

No. Businesses that were allowed to operate prior to May 18, 2020, may continue to operate without occupancy limitations.

11. Is the mall open? Is the food court at the mall open?

Retail establishments are permitted to open subject to a 50% occupancy limitation but are not required to open. Mall operators or individual stores may decide whether or not to open. Food courts at malls are permitted to reopen, subject to the limitations on restaurants and other food establishments found in Attachment 2 to EO 20-12. Please contact the retail establishment directly for more information on its status.

12. Are beaches open?

Beaches remain closed until Tuesday, May 26, 2020. Thereafter, beaches are open subject to the limitations of EO 20-13.

13. Are pools open?

Pools and pool decks located in **multi-family housing developments** (HOA, condominium pools, etc.) may operate subject to the requirements in Attachment 11 of EO 20-12, as amended. Pools in **private clubs** (YMCAs, JCC, yacht clubs, etc.), and **county or municipal pools**, may operate subject to the requirements in Attachment 12 of EO 20-12. Pools that are part of a **commercial gym or fitness facility** or **hotel, motel, or commercial lodging establishment** are closed until May 26, 2020, after which time they may operate subject to the requirements in Attachment 12 of EO 20-12 and EO 20-13.

Any particular pool may choose to remain closed, and the decision to reopen may be subject to internal rules or regulations of that establishment or organization. For more information about the status of a pool located at any of the above-mentioned establishments, please reach out directly to the owner, operator, property manager, or governing board of such establishment.

14. Are pet groomers allowed to open?

Yes. All establishments except those outlined in Section 2 of EO 20-12 may resume operations subject to the requirements of EO 20-12 and the attachments thereto.

15. Are dog parks open?

Yes. Dog parks located in parks, as the term is defined in EO 20-12, may operate consistent with the applicable requirements in EO 20-12 and the attachments thereto.

16. Are spas/massage studios allowed to open? What about spas in hotels?

Yes, spas, irrespective of their location, may operate, subject to the limitations of Attachment 3 (for retail sales) and Attachment 4 (for personal services) of EO 20-12, with the following exception: massages may not be performed other than by licensed therapists for medically necessary reasons and in compliance with the applicable conditions in Section 5 of the Governor’s Executive Order 20-112. For purposes of EO 20-12, “medically necessary” means needed to diagnose or treat an illness or injury, condition, disease, or symptoms of any of the foregoing.

Effective May 26, 2020, spa operators may allow their patrons to use hotel pools or other similar amenities subject to the limitations of Attachment 12 of EO 20-12; until then, hotel pools and similar amenities remain closed.

17. Are realtors and other real estate related businesses allowed to operate?

Yes, residential and commercial real estate services were permitted services under the Governor’s Executive Order 20-91, and are allowed to operate, including in-person showings, inspections, and closings, provided they operate in accordance with Broward County Emergency Order 20-12, including Attachment 1 thereto and the CDC guidelines on social distancing and facial coverings.

18. Can places of worship open?

Religious organizations continue to be strongly urged to follow CDC Guidelines, including the use of facial coverings, and to limit their gatherings to groups of no more than ten (10) people. However, there are no restrictions on religious services under the current orders.

19. Are hotels open in Broward County? What about vacation rentals?

Until May 26, 2020, Broward County’s hotels, motels, commercial lodging establishments, and vacation rentals remain open but only for essential lodgers, including members of the National Guard, medical personnel, and others assisting with COVID-19 response, pursuant to Broward County’s Emergency Order 20-06 and the Governor’s Executive Orders 20-87, 20-89 and 20-91.

Effective May 26, 2020, hotels, motels, and commercial lodging establishments may operate subject only to the limitations of EO 20-12 and EO 12-13, including Attachment 14.

Broward County will develop a plan to be submitted to the Governor so that vacation rentals may resume their pre-COVID-19 business activities.

20. What are the consequences of violating an Emergency Order? How do I report a violation of the Emergency Orders?

Violations of an Emergency Order are a second-degree misdemeanor subject to fines up to \$500, imprisonment up to 60 days, or both. If you know or suspect that a particular establishment is in violation of an applicable order, you should report the suspected violation to 311 or to the applicable local [municipal code enforcement office](#).

21. How can I contact the County if I have any questions or comments about COVID-19 or the County’s Emergency Orders?

Call the COVID-19 Hotline at (954) 357-9500.

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