



AMENDMENT NO. 1 TO ORDER NO. 20-04

**LOCAL EMERGENCY MEASURES IMPLEMENTED BY THE CITY MANAGER
OF THE CITY OF MIAMI, FLORIDA**

WHEREAS, under the provisions of law and Sections 252.31 - 252.60, Florida Statutes, Mayor Francis X. Suarez of the City of Miami declared on March 12, 2020 that a State of Local Emergency exists within the City of Miami, Miami-Dade County, Florida in response to the Novel Coronavirus ("COVID-19"); and

WHEREAS, on March 17, 2020, March 24, 2020, March 31, 2020, April 7, 2020, and April 14, 2020, April 28, 2020, May 5, 2020, and May 12, 2020, in accordance with the provisions of Section 252.38(3)(a), Florida Statutes, City of Miami Mayor Francis X. Suarez declared extensions to the State of Local Emergency in response to COVID-19 in and for the City of Miami, Florida; and

WHEREAS, the effects of COVID-19 continue to require extraordinary and immediate actions by the City of Miami in order to protect the public's health, safety, and welfare; and

WHEREAS, Executive Order 20-52, Section (4)(D)(1) provides that each municipality in the State of Florida is authorized to waive the procedures and formalities otherwise required of the political subdivision by law pertaining to the taking of whatever prudent action is necessary to ensure the public's health, safety, and welfare; and

WHEREAS, COVID-19 is a natural emergency whose increasing effects are being felt within the City of Miami and that on account thereof, there is reason to believe that it is necessary to take whatever prudent action is necessary to ensure the health, safety, and welfare of the City of Miami; and

WHEREAS, the City of Miami does not believe that based on the currently available data relating the number of new cases of COVID-19 and associated hospitalizations that this is the appropriate time to begin reducing safety measures intended to protect its residents; and

WHEREAS, it is necessary and appropriate to take action to ensure that COVID-19 does not continue to spread and that the residents and employees of the City remain safe and secure; and;

WHEREAS, this Amendment to City of Miami Local Emergency Measures Order 20-04 is intended, in accordance with Section 10 of Miami-Dade County Executive Order 23-20, to impose more stringent standards within the City of Miami than are set forth in the Executive Order 23-20;

NOW, THEREFORE, I, Arthur Noriega V, City Manager of the City of Miami, County of Miami-Dade, State of Florida, acting under the authority granted to municipalities by Florida Statutes Sections 252.38, et seq., 501.160, and Executive Order Number 20-52 promulgated by Governor Ron DeSantis on March 9, 2020, and Executive Order 20-114, executed on May 8, 2020, extending Executive Order 20-52 an additional 60 days, as well as the authority granted to me by Section 4(g)(3) of the Charter of the City of Miami, Florida, as amended and by Chapter 8A-5 of the Miami Dade County Code, and in addition to the Local Emergency Measures I have previously ordered, hereby **ORDER** and promulgate the following additional Local Emergency Measures for the City of Miami **effective May 17, 2020 at 11:59 p.m.:**

Section III of Emergency Measures Order 20-04 is hereby amendedⁱ and restated to provide:

III. CLOSURE OF CERTAIN BUSINESSES AND ESTABLISHMENTS IN THE CITY

1. All alcohol service establishments in the City of Miami that do not serve food shall be closed to the public.
2. All restaurants and retail food facilities in the City of Miami shall be prohibited from serving food for consumption in dining areas on premises, including outdoor seating areas. Restaurants and retail food facilities may continue to operate for the sole purpose of preparing and offering food to customers via delivery, third-party delivery service, carry-out, or drive-thru amenities at any hour. For those establishments offering food carry out options, proprietors are directed to establish safe social distancing practices for those patrons in the queue for pick-up.

3. All movie theaters, live performance venues, bowling alleys, and arcades located in the City of Miami shall be closed to the public.

4. All gyms and fitness centers shall be closed to the public.

5. All casinos, cardrooms, frontons, racetracks, and pari-mutuel facilities shall be closed to the public.

6. Exceptions. Notwithstanding the Shelter in Place order provided herein, all visitors or residents of the City of Miami may leave their residence to seek goods and services from “essential retail and commercial establishments” ~~defined in Miami-Dade County Emergency Order 07-20, as amended by Miami-Dade County~~ as set forth below or subsequent amended Local Emergency Measures for the City of Miami, which exempt from mandatory closure. These essential retail and commercial establishments that may remain open include; ~~but are not limited to, grocery stores; convenience stores; food distribution centers; restaurants subject to the limitations provided in this Section and subject to social distance separation of at least six (6) feet between patrons; hospitals, pharmacies, and health care providers; gas stations and auto-repair facilities; banks and financial institutions; hardware stores; businesses that provide postal/shipping services and other office products; laundry service providers; childcare facilities providing services to groups of 10 or fewer and subject to limitations in County Emergency Orders; exempt professional services; home-based care for seniors, adults or children; pet supply stores, veterinarian and pet boarding facilities; and offices in support of essential retail and commercial activities.~~

a. Healthcare providers, including but not limited to, hospitals, doctors’ and dentists’ offices, urgent care centers, clinics, rehabilitations facilities, physical therapists, mental health professionals, psychiatrists, therapists, and pharmacies;

b. Grocery stores, farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish and poultry, and any other household consumer products (such as cleaning and personal care products). This authorization includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operations of residences;

c. Food cultivation, including farming, livestock, and fishing;

- d. Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- e. Newspapers, television, radio, and other media services;
- f. Gas stations and auto-supply, auto-repair, and related facilities;
- g. Banks and related financial institutions;
- h. Hardware stores;
- i. Contractors and other tradesmen, appliance repair personnel, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and other structures;
- j. Businesses providing mailing and shipping services, including post office boxes;
- k. Private colleges, trade schools, and technical colleges, but only as needed to facilitate online or distance learning;
- l. Laundromats, dry cleaners, and laundry service providers;
- m. Restaurants and other facilities that prepare and serve food, but subject to the limitations and requirements of Emergency Order 3-20. Schools and other entities that typically provide free food services to students or members of the public may continue to do so on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
- n. Businesses that supply office products needed for people to work from home;
- o. Businesses that supply other essential businesses with the support or supplies necessary to operate, and which do not interact with the general public;
- p. Businesses that ship or deliver groceries, food, goods, or services directly to residences;
- q. Airlines, taxis, and other private transportation providers providing transportation services via automobile, truck, bus, or train;
- r. Home-based care for seniors, adults, or children;
- s. Assisted living facilities, nursing homes, and adult day care centers, and senior residential facilities;

t. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;

u. Landscape and pool care businesses, including residential landscape and pool care services;

v. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities should operate under the following mandatory conditions:

1. Childcare must be carried out in stable groups of 10 or fewer (inclusive of childcare providers for the group).

2. Children and childcare providers shall not change from one group to another.

3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix or interact with each other.

w. Businesses operating at any airport, seaport, or other government facility, including parks and government offices;

x. Pet supply stores;

y. Logistics providers, including warehouses, trucking, consolidators, fumigators, and handlers;

z. Telecommunications providers, including sales of computer or telecommunications devices and the provision of home telecommunications;

aa. Provision of propane or natural gas;

bb. Office space and administrative support necessary to perform any of the above-listed activities;

cc. Open construction sites, irrespective of the type of building;

dd. Architectural, engineering, or land surveying services;

ee. Factories, manufacturing facilities, bottling plants, or other industrial uses;

ff. Waste management services, including collections and disposal of waste;

gg. Any business that is interacting with customers solely through electronic or telephonic means, and delivering products via mailing, shipping, or delivery services;

hh. New and used automobile dealerships, provided that such business should ensure that customers practice social distancing;

- ii. Hotels, motels, other commercial lodging establishments for “**Essential Lodgers**”. (See County Emergency Order 9-20). All short-term rentals shall not accept new reservations;
- jj. Veterinarians and pet boarding facilities;
- kk. Mortuaries, funeral homes, and cemeteries.

- ll. Retail stores and vendors that currently sell sealed containers of alcoholic beverages for off-premises consumption (i.e., liquor stores). Vendors licensed to sell alcoholic beverages for consumption on the premises may continue to sell alcoholic beverages in sealed containers for consumption off-premises for take-out orders only. (i.e., Restaurants/bars: take-out orders can include alcohol purchases however, ANY SALE OF AN ALCOHOLIC BEVERAGE IN A SEALED CONTAINER FOR CONSUMPTION OFF-PREMISES MUST BE ACCOMPANIED BY THE SALE OF FOOD WITHIN THE SAME ORDER).

- mm. Firearms and ammunition supply stores;
- nn. Businesses providing services to any local, state or Federal Government, including municipalities, pursuant to a contract with such government.


Section V of Emergency Measures Order 20-04 is hereby amended and restated to provide:

V. NON-ESSENTIAL RETAIL AND COMMERCIAL ESTABLISHMENTS

1. Notwithstanding Miami-Dade County Emergency Order 23-20, and any subsequent amendments thereto, all businesses and establishments not deemed “essential retail and commercial establishments” as provided in ~~Miami-Dade County Emergency Order 07-20, as amended by Miami-Dade County~~ hereinabove, are hereby deemed to be non-essential and, therefore, such businesses and establishments within the territorial limits of the City of Miami shall continue to remain CLOSED and may resume operations upon termination or modification of these Local Emergency Measures.

The above Local Emergency Measures shall take effect on **May 17, 2020 at 11:59 p.m.** All requirements of this Local Emergency Measure, Miami-Dade County Emergency Orders, and

State of Florida Executive Orders shall be strictly adhered to at all times and enforceable pursuant to Florida Statutes and the Code of the City of Miami.



Arthur Noriega V, City Manager
City of Miami, Florida

Date: May 17, 2020

Time: 11:00 AM

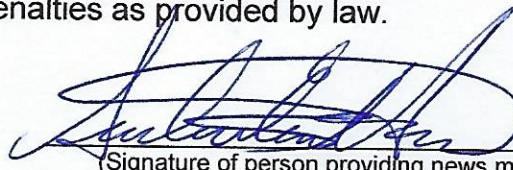
Words and/or figures ~~stricken~~ through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged.



NOTICE OF AMENDMENT NO. 1 TO ORDER NO. 20-04 DECLARATION OF LOCAL EMERGENCY MEASURES

Under the provisions of law and §§ 252.31 - 252.60, Florida Statutes, the Mayor of the City of Miami declared on March 12, 2020, that a State of Local Emergency continues to exist and declared an extension to the State of Local Emergency within the City of Miami, Miami-Dade County, Florida for an additional period of seven (7) days on March 17, March 24, March 31, April 7, April 14, April 21, April 28, May 5, and May 12, 2020, 2020, and in accordance with the authority granted to municipalities pursuant to Executive Order Number 20-52 promulgated by Governor Ron DeSantis on March 9, 2020, and the extension thereof pursuant to Executive Order 20-114 executed on May 8, 2020, there is reason to believe that there continues to exist a clear and present danger of substantial injury to the health, safety, and welfare of persons or to property, all of which constitute an imminent threat to public peace and order and to the general welfare of this City and, therefore, the *attached* Local Emergency Measures are necessary and are hereby promulgated.

All persons within the City of Miami are advised to become informed as to the contents of the attached Amendment No. 1 to Local Emergency Measures Order No. 20-04 and to keep informed as to the issuance of further Local Supplementary Emergency Orders. Any violations of Amendment No. 1 to Local Emergency Measures Order No. 20-04 and previously promulgated Local Emergency Measures will subject persons to arrest and conviction thereof to the penalties as provided by law.


(Signature of person providing news media with copy) 5/17/2020 11:15am

Print Name: Stephanie Severino