



AMENDMENT NO. 3 TO ORDER NO. 20-11

**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, May 12, 2020, May 19, 2020, May, 26, 2020, June 2, 2020, and June 9, 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, as COVID-19 hospitalizations have stabilized and begun declining in South Florida, the City of Miami will be allowing for certain activities to resume under Phase 1 that do not pose a threat for transmission of the virus and 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, the Governor, via Executive Order 20-122 has allowed Miami-Dade County to proceed to Phase 1 of the “Safe, Smart, Step by Step Plan for Florida’s Recovery”, subject to the limitations imposed in Executive Order 20-112 paragraphs two through six; and

WHEREAS, in accordance with Section 10 of Miami-Dade County Emergency Order 23-20, the City of Miami can impose more stringent standards within the City of Miami than are set forth in the County Emergency Order 23-20; and

WHEREAS, this Amendment No. 3 to Emergency Measures Order No. 20-11 is intended to align the City’s emergency measures with those implemented by Miami-Dade County while preserving some measures that the City deems necessary to prevent the spread of the virus; and

WHEREAS, notwithstanding the amendment to certain provisions of this City of Miami Local Emergency Measures Order, the City of Miami and its residents are subject to all remaining State of Florida, Miami-Dade County, and City of Miami emergency orders;

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 Immediately**:

1. **Section I of Emergency Measures Order 20-11 is hereby amended¹ and restated as follows:**

“I. **PHASE 1 CITY OF MIAMI REOPENING**

¹ 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.

A. General Provisions:

1. Retail and commercial establishments within the City of Miami permitted to reopen pursuant to Miami-Dade County Emergency Order 23-20, as may be amended ("County E/O 23-20"), may reopen on the dates specified herein, provided that each such establishment:

- a. Complies with the requirements of County E/O 23-20, a copy of which is attached and incorporated as Exhibit 1 hereto, including the Handbook and Appendices attached to County E/O 23-20 as Exhibit A, as amended; and
- b. Consents to the entry of City of Miami personnel onto the business and/or establishment's property for the sole purpose of inspection for compliance with this Order; and
- c. Complies with the additional requirements set forth by the City of Miami in this Order.

B. Conditions of Opening for All Establishments in the City of Miami

1. As a condition of opening, all establishments within the City of Miami shall comply with the requirements of County E/O 23-20, as may be amended. A copy of which is attached and incorporated as Exhibit 1 hereto, including the Handbook and Appendices attached to County E/O 23-20 as Exhibit A, as amended.

2. In addition to the conditions set fourth in County E/O 23-20, each employer or designee of an establishment in the City of Miami shall establish a checkpoint for employees and ask the following health screening questions at the onset of each workday or shift to help identify the symptoms of COVID-19 (each establishment shall maintain a daily log which records that such screening took place):

- a. *Have you experienced a fever of 99.5 F (37.5 C), cough, sore throat, shortness of breath or breathing difficulties, fatigue, chills, muscle pain, headache, or loss of taste or smell since your last shift or workday?;*
- b. *Have you come in contact with anyone who has at least two of the symptoms listed above since your last shift or workday?;*
- c. *Have you come in contact with anyone who has tested positive for COVID-19 since your last shift or workday?*

3. Any employee whose answers is "YES" to one or more of the questions above shall leave the establishment and remain in isolation until tested for COVID-19 and receiving a negative result after having been isolated for a period of not less than 7 days or self-isolated for a period of 14-days with at least 72-hours of resolution of symptoms.

4. It shall remain the responsibility of all businesses or establishments to comply with all applicable laws, including HIPAA, when conducting employee screening procedures.

5. Employers and employees shall be required to self-report all presumed cases of COVID-19 to the Florida Department of Health. The call center is available 24/7 at 1-866-779-6121 or at COVID19@flhealth.gov.

6. All restrooms, high touch surfaces in common areas, including railings, seats, ATMs, kiosks, and elevator buttons in all business and establishments shall be cleaned every 2 hours pursuant to the OSHA Guidance on Preparing Workplaces for COVID-19 Handbook.

7. The use of common water fountains and interactive water displays shall be prohibited.

8. ~~Valet parking shall be prohibited~~ Reserved.

9. Capacity in building elevators shall be limited to ensure social distancing measures.

10. All employers must establish a contact system (phone tree, text) to quickly reach all staff employees if there is a workplace COVID-19 exposure.

11. Businesses and establishments shall not allow services that includes self-serve products, samples, testers, or self-serve salad bars or soup bars to invitees or licensees on premises. Additionally, notwithstanding the restrictions to restaurants and other food service establishments, supermarkets and grocery stores shall be prohibited from allowing persons to consume food on premises in seated dining areas.

12. All businesses and establishments are required, to the extent possible, to leave entrance/exit doors open for purposes of facilitating hands-free access into the establishment; if entrance/exit doors are closed during business hours, the door knobs and/or handle shall be sanitized no less that every two (2) hours as are all other high-touch areas of the business or establishment.

C. Retail and Commercial Establishments

~~1. Retail and commercial establishments may reopen on **May 20, 2020**, except for:~~

~~a. — Those establishments which must remain closed pursuant to any Miami-Dade County Emergency Orders, including County E/O 23-20;~~

~~b. — Restaurants and other food service establishments, which may reopen pursuant to *Section G* below, and any amendments thereto issued from the State of Florida, Miami-Dade County, or the City of Miami pursuant to a subsequent order.~~

~~2. Fitting rooms in retail establishments shall remain closed.~~

D. Certain Establishments Shall Remain Closed

~~1. Notwithstanding County E/O 23-20, and any subsequent amendments thereto, all businesses and establishments listed in Paragraph 4 of County E/O 23-20 shall remain closed. A copy of which is attached and incorporated as "Exhibit 1" hereto, including the Handbook attached to County E/O 23-20 as Exhibit A. In addition, the following 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:~~

- ~~a. All casinos, cardrooms, frontons, racetracks, and pari-mutuel facilities shall be closed to the public.~~
- ~~b. All tour bus and party boat operators shall be prohibited from operating a route in the City of Miami that includes the loading or unloading of passenger at any point of origin, destination, and/or any planned tour stops located in the City of Miami. All tour operators shall only be permitted to operate their vehicles through the City of Miami for purposes of loading or unloading passengers in a neighboring jurisdiction where such tour operations are permissible.~~

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F. Facial Covering

~~1. All persons working in or visiting a business and/or establishment operating pursuant to this Emergency Order shall wear a facial covering as described in the City of Miami's Emergency Order 20-07 in accordance with the guidelines set forth in the requirements of County E/O 23-20, as may be amended, including the Handbook and Appendices attached to County E/O 23-20 as Exhibit A, as amended.~~

G. ~~Restaurants and Other Food Services Establishments; prohibitions.~~

~~1. Restaurants and other food service establishments as defined herein (including restaurants within hotels and other private buildings) may reopen to the public for in-person dining services and service at outdoor areas effective **5:00a.m. on May 27, 2020**, subject to compliance with the requirements of Miami-Dade County Emergency Order 23-20, as amended, and Section ~~I, E,~~ above.~~

~~2. Reserved.~~

~~3. For purposes of this order, the terms "restaurant" or "food service establishment" shall not include alcohol service establishments, bars, taverns, pubs, night clubs, banquet halls, cocktail lounges, cabarets, and breweries (collectively, "Alcohol Service Establishments").~~

~~“Restaurants” and “food service establishments” shall mean only those establishments whose primary use under non-emergency conditions is the preparation of food for consumption on or off the premises and shall have a valid City of Miami Certificate of Use for “restaurant” or “food service establishment.” Alcohol service establishments may only continue to serve food for delivery or take-out.~~

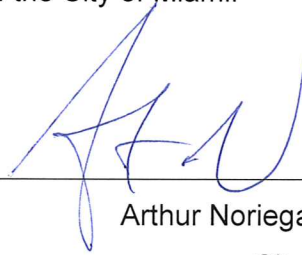
H. City of Miami Emergency Measures

1. All prior City of Miami Emergency Measures remain in effect except to the extent modified by this Emergency Measure. This Emergency Measure supersedes any conflicting provision of any prior measure.

2. This Emergency Measure shall expire upon the expiration of the existing State of Local Emergency, provided, however, that if such State of Local Emergency is extended, this Emergency Measure shall also be deemed to be extended for the duration of such extension.

3. This Emergency Measure may be cancelled or further restricted by the City Manager if deemed necessary to protect the safety and welfare of all residents, visitors, and business owners of the City of Miami.”

The above Local Emergency Measures shall take effect immediately upon the signature of the City Manager. 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: June 12, 2020

Time: 3:00pm