



## ORDER NO. 20-17

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

**WHEREAS**, under Home Rule Powers under Article VIII, Section 2(b) of the Florida Constitution, and Section 166.021, Florida Statutes, 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, June 9, 2020, June 16, 2020, and June 23, 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**, on June 19, 2020, Florida Governor Ron DeSantis expressly stated that the State of Florida will not overrule local governments when it comes to requiring masks to be worn in public and that he will allow local governments to make decisions that work for them; and

**WHEREAS**, on June 20, 2020, Scott A. Rivkees, M.D., as State Surgeon General and State Health Officer, issued A Public Health Advisory that "all individuals in Florida should wear face coverings in any setting where social distancing is not possible"; 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

**WHEREAS**, COVID-19 is a natural emergency whose increasing effects are being significantly 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, use of ventilators and deaths have increased in South Florida, it is necessary and appropriate for the City of Miami 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**, establishments which cannot comply with all existing state, county, and City of Miami orders under the current State of Emergency pose an increased risk of infection to residents, visitors, and employees of businesses in the City of Miami and therefore pose an immediate risk to human life throughout South Florida and beyond; and

**WHEREAS**, to protect the health and safety of human life while balancing the need to avoid further widespread economic disruption, ensure that customers can safely patronize establishments in the City of Miami, and to ensure hospital capacity is maintained, establishments that do not comply with all existing emergency orders issued by the State of Florida, Miami-Dade County, and the City of Miami orders must be closed; and

**WHEREAS**, the life, safety and welfare of all the residents and visitors of the City of Miami is paramount; 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, as amended;

**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, Miami-Dade County Executive Orders, 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**:

**I. NON-COMPLIANCE OF ESTABLISHMENTS IN THE CITY OF MIAMI; PENALTY**

A. Every retail and commercial establishments and any other type of establishment, service, facility and venue (collectively, "establishment") open in the City of Miami, consistent with all existing Local Emergency Measures, may remain open provided that each such establishment:

1. Complies with the requirements applicable to the establishment in accordance with Miami-Dade County Emergency Order 23-20, as amended, including the "Moving To A New Normal Handbook," ("Handbook") and appendices attached to Miami-Dade County Emergency Order 23-20 as Exhibit A, as amended; and
2. Consents to the entry of Miami-Dade County and/or City of Miami personnel onto the business and/or establishment's property for the sole purpose of inspection for compliance with Miami-Dade County Emergency Order 23-20, as amended;
3. Complies with the additional requirements set forth by the City of Miami in this order.

B. If an establishment fails to comply with the requirements of paragraph 'A' herein, such establishment shall CLOSE immediately upon directive given by Miami-Dade County and/or City of Miami personnel.

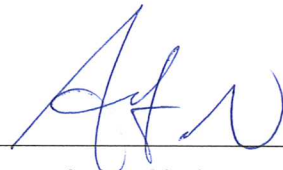
1. Any establishment ordered to close may reopen only after:
  - a. a period of ten (10) calendar days from the date closure on the first occasion the establishment has been deemed to be in non-compliance; or
  - b. a period of fifteen (15) calendar days from the date closure on the second occasion the establishment has been deemed to be in non-compliance; or
  - c. a period of thirty (30) calendar days from the date closure on the third and each subsequent occasion the establishment has been deemed to be in non-compliance and may subject the operator of the establishment to arrest pursuant to Section 252.50, Florida Statutes.



2. The operator of the establishment must also execute the attestation attached as Exhibit B to Miami-Dade County Emergency Order 23-20, as amended, demonstrating that the review has been completed and the measures have been taken, and submitting the executed affidavit by email to [covid19businessviolations@mdpd.com](mailto:covid19businessviolations@mdpd.com) or by mail to Special Patrol Bureau/Incident Team 1501 N.W. 79th Avenue, Doral, Florida 33126.
3. The operator of any establishment who fails to follow a directive to close and/or remain closed (for the entire required time period set forth in subparagraphs (a), (b), or (c) above) will be subject to arrest for a violation of this Emergency Order pursuant to section 252.50, Florida Statutes.

All residents, visitors, and business establishments in the City of Miami remain subject to all existing Executive Orders, as amended, issued by Governor Ron DeSantis, Emergency Orders issued by Miami Dade County, including the guidelines contained in the Handbook, as amended, and Local Emergency Measures promulgated by 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: 7-1-20

Time: 9:00 am