



CITY OF AVENTURA
OFFICE OF THE CITY MANAGER

**ORDER AND SUPPLEMENT TO DECLARATION OF
STATE OF EMERGENCY
(Order Number 15)**

UPDATED BUSINESS RESTRICTIONS

WHEREAS, on March 12, 2020, I, as City Manager of the City of Aventura, promulgated a Declaration of Emergency (the "Declaration"), due to the COVID-19/Coronavirus health emergency within the jurisdictional limits of the City of Aventura ("City"), pursuant to Section 2-404 of the City of Aventura Code of Ordinances; and

WHEREAS, Section 2-404 of the City's Code of Ordinances authorizes the City Manager, to adopt emergency orders which may include, but are not limited to, curfews, declaration of certain areas being off limits, and other matters related to the Declaration; and

WHEREAS, on April 3, 2020, the United States Centers for Disease Control and Prevention ("CDC") recommended that persons wear masks, including cloth masks or other facial coverings, while in public to help control the spread of COVID-19; and

WHEREAS, on June 24, 2020, in order to protect the health, safety, and welfare of the residents of Aventura, I entered City of Aventura Emergency Order 12 requiring individuals to use a face covering in certain circumstances; and

WHEREAS, on July 2, 2020, Miami-Dade County Mayor Gimenez entered Amendment Number 1 to Miami-Dade County Emergency Order 20-20 to require facial coverings when in public, subject to certain limited exceptions; and

WHEREAS, after further analysis of the Declaration, and the CDC's recommendation, and in order to further protect individuals from COVID-19/Coronavirus, I am issuing this Supplement to Declaration to the State of Emergency to modify City Emergency Order 9, dated May 17, 2020, and City Emergency Order 11, dated June 5, 2020, in order to close certain businesses within the City, require the wearing of facial coverings in gyms and fitness centers, and to further regulate the operation of restaurants and short-term rentals within the City.

THEREFORE, as City Manager for the City of Aventura, Florida, and pursuant to the authority vested in me under Section 2-404 of the City of Aventura Code of Ordinances (the "City Code"), as well as that certain City of Aventura Declaration of State of Emergency, dated March 12, 2020, I hereby ORDER and PROMULGATE the following additional emergency measures:

Section 1. Declaration Supplemented.

In accordance with City Code Section 2-404, and Chapter 252, Florida Statutes, the Declaration of the State of Emergency within the City of Aventura, dated March 12, 2020, City Emergency Order 9, dated May 17, 2020, and Emergency Order 11, dated June 5, 2020, are hereby re-affirmed, remain in full force and effect, except as expressly modified herein, and are further supplemented pursuant to this Order, as provided herein:

Section 2. Findings.

- (A) The detailed findings of Governor Desantis' Executive Orders Number 20-52, Number 20-68, Number 20-82, 20-83, 20-91, and 20-92 are hereby incorporated herein by reference.
- (B) The detailed findings of Miami-Dade County Mayor Gimenez as contained in Miami-Dade County Emergency Order 26-20, dated July 7, 2020 is hereby adopted and incorporated herein by reference.

Section 3. Business Closure Updates – City Emergency Orders 9 and 11, shall be modified as provided herein.

- (A) Business Closures: Beginning at 12:01 a.m., Thursday, July 9, 2020, all of the following shall be closed within the City of Aventura:
 - (1) movie theaters
 - (2) concert houses
 - (3) auditoriums
 - (4) playhouses
 - (5) bowling alleys
 - (6) arcades
 - (7) indoor and outdoor amusement facilities and attractions
 - (8) casinos (except casinos on sovereign tribal land)
 - (9) adult theaters, special cabarets, and unlicensed massage establishments, as defined in section 847.001, Florida Statutes
 - (10) banquet halls, both stand alone and incident to any hotel or other business
 - (11) ballrooms both stand alone and incident to any hotel and other establishment
- (B) Commencing at 12:01 a.m., on July 9, 2020, the following modifications to regulations governing the following businesses permitted to operate shall require the following:
 - (1) Gyms and Fitness Centers: All individuals in a gym or fitness center shall at all times wear a mask or other facial covering as defined by City Emergency Order 14. This requirement is in addition to, and does not modify or waive, any other requirement imposed on gyms and fitness centers in or the New Normal Handbook.
 - (2) Restaurants, Cafeterias, other food service establishments with seating for over eight (8) persons:
 - a. All restaurants, cafeterias, and other food service establishment with seating for more

- than eight people within the City of Aventura shall be limited to offering outdoor on-premises service only. This paragraph (a) shall not prohibit take out and delivery services.
- b. Outdoor service of customers for on-premises consumption shall only be offered between the hours of 6:00 a.m. and 10:00 p.m. each day and shall close at 10:00 p.m.
 - c. Notwithstanding the foregoing, between the hours of 10:00 p.m. and 6:00 a.m. of the next day, such establishments may operate their kitchens only for the purpose of providing delivery services, pick-up, room service, or take out services, and employees, janitorial personnel, contractors, and delivery personnel shall be allowed access to such establishments.
 - d. Table size at such establishments shall be limited to four persons per table, irrespective of whether those persons reside in the same household.
 - e. Music shall be eliminated or set at a decibel level below that of a normal conversation.

(3) Vacation Rentals/Short-Term Rentals:

- a. The maximum daytime and overnight occupancy for short-term vacation rentals shall be up to a maximum of two persons per bedroom plus two additional persons per property not to exceed a maximum of ten persons, and
- b. New rental agreements shall not be entered into, except on a monthly basis.
- c. This shall not authorize vacation and short-term rentals which are already prohibited by the City Code.

Section 4. Enforcement

Any person, firm, or corporation who violates any provision of the Declaration of the State of Emergency, and any Supplemental Order, any Amended Supplemental Order, including this Order, shall be subject to such fine or imprisonment or both as provided by **Sections 1-14 and 2-333** of the City Code, or any other applicable penalty provision. Each day that a violation shall continue to exist shall constitute a separate offense.

Section 5. Effective Date.

This Order and Supplement to Declaration shall be effective as of 6:00 p.m., July 8, 2020, and may be further supplemented from time to time in accordance with Article VIII of Chapter 2 of the City Code. This document shall be posted and distributed as provided by City Code Section 2-404(f).

Executed this 8th day of July, 2020.

By: 
Ronald J. Wasson, City Manager
City of Aventura, Florida

Copy: Mayor and Commissioners, City Clerk, Police Chief, City Attorney, Department Directors