



CITY OF AVENTURA
OFFICE OF THE CITY MANAGER

**ORDER AND SUPPLEMENT TO DECLARATION OF
STATE OF EMERGENCY
(Order Number 9)**

PHASE 1 RE-OPENING CITY OF AVENTURA AND TERMINATION OF CURFEW

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, COVID-19 spread continues to occur in Miami-Dade County, and the City of Aventura, although at a lower rate; and

WHEREAS, on May 18, 2020, Governor DeSantis issued Executive Order 20-122, which authorizes 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, on May 15, 2020, Miami-Dade County Mayor Carlos Gimenez issued Emergency Order 23-20 ("County Re-Opening Order") which provides for the re-opening of retail and commercial establishments in Miami-Dade County subject to conditions and requirements contained in the County Re-Opening Order, including, but not limited to the Moving to a New Normal Handbook included as an exhibit to the County Re-Opening Order; and

WHEREAS, in order to facilitate the re-opening of City of Aventura, it is appropriate at this time to also terminate the curfew currently imposed within the City of Aventura pursuant to the Emergency Order dated March 19, 2020.

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, is hereby re-affirmed, remains in full force and effect, and is 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, 20-92, 20-112, and 20-122 are hereby incorporated herein by reference.
- (B) The detailed findings of Miami-Dade County Mayor Gimenez as contained in Emergency Order 23-20, dated May 15, 2020, which is attached hereto as **Exhibit "A,"** is hereby adopted and incorporated herein by reference.

Section 3. Phase 1 Re-Opening of Retail and Commercial Establishments in the City of Aventura

- (A) Commencing May 18, 2020 the following retail and commercial establishments **may open**, provided that each such establishment complies with the requirements contained in Miami-Dade County Emergency Order 23-20, dated May 15, 2020:
 - 1. Restaurants;
 - 2. Retail Malls and all Retail Businesses;
 - 3. Grooming Businesses, including hair salons, barber shops, and nail salons;
 - 4. Real Estate Offices;
 - 5. Commercial Offices; and,
 - 6. Manufacturing and factory establishments.

A copy of County Emergency Order 23-20 is attached hereto as **Exhibit "A,"** and incorporated herein by reference.

- (B) Consistent with the City of Aventura Emergency Order dated March 25, 2020, and Miami-Dade County Emergency Order 23-20, the following establishments shall remain closed:
 - 1. bars, pubs, night clubs, banquet halls, cocktail lounges, cabarets, and breweries, except for take-out or delivery services;
 - 2. movie theaters, concert houses, auditoriums, playhouses, bowling alleys, arcades, gymnasiums, and fitness studios;
 - 3. hotels and commercial lodging establishments, except as operated pursuant to Miami-Dade County Emergency Order 09-20;
 - 4. Pools and hot tubs; and
 - 5. Tattoo parlors and massage parlors.

Section 4. Termination of Curfew.

The City-wide curfew imposed pursuant to the City of Aventura Emergency Order dated March 19, 2020 is hereby terminated.

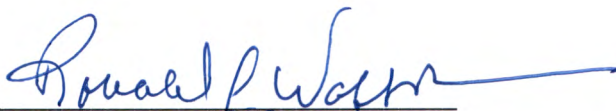
Section 5. Enforcement

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 6. Effective Date.

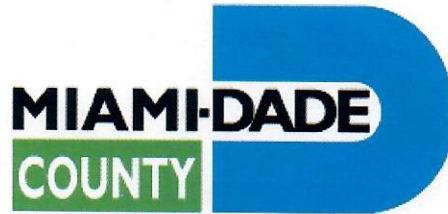
This Order and Supplement to Declaration shall be effective as of 5 p.m., May 17, 2020, and may be further supplemented from time to time in accordance with Article VIII of Chapter 2 of the City Code. This document shall be posted and distributed as provided by City Code Section 2-404(f).

Executed this 17th day of May, 2020.

By: 

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

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



MIAMI-DADE COUNTY EMERGENCY ORDER 23-20

WHEREAS, on March 19, 2020, the County Mayor issued Emergency Order 07-20 relating to coronavirus disease 2019 (COVID-19); and

WHEREAS, Emergency Order 07-20, as amended by Amendment Nos. 1 through 3, required the closure of all non-essential retail and commercial establishments, as defined therein; and

WHEREAS, on April 9, 2020, the County Mayor issued Emergency Order 20-20; and

WHEREAS, Emergency Order 20-20 required facial coverings, as defined by the United States Centers for Disease Control and Prevention ("CDC"), to be worn by persons working in or visiting grocery stores, restaurants, public transit vehicles, vehicles for hire, and locations where social distancing measures are not possible; and

WHEREAS, as Miami-Dade County COVID-19 hospitalizations have stabilized and begun declining, the County will be allowing for certain activities to resume that do not pose a threat for transmission of the virus; and

WHEREAS, unlike many establishments that will operate pursuant to this order, restricting indoor occupancy presents unique challenges to restaurants, and therefore additional flexibility in providing seating areas is warranted; and

WHEREAS, section 8B-7(2)(f) of the Code of Miami-Dade County ("Code") authorizes the County Mayor to order the closure of any commercial establishment; and

WHEREAS, sections 8B-7(2)(e) and (o) of the Code authorize the County Mayor to limit the movement of persons inside Miami-Dade County in order to safeguard life and health; 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, the safety and welfare of all the citizens of Miami-Dade County is paramount,

THEREFORE, as County Mayor of Miami-Dade County, I hereby order:

Miami-Dade County Declaration of Local State of Emergency

1. Except for those establishments listed in paragraph 4 below, every retail and commercial establishment and any other establishment or facility (collectively, “establishment”) in Miami-Dade County may open, provided that each such establishment:
 - a. complies with the requirements in paragraph 2 below;
 - b. complies with the applicable activity-specific requirements in the “Moving To A New Normal Handbook,” attached as Exhibit A (the “Handbook”);
 - c. complies with the facial covering requirements in paragraph 6; and
 - d. consents to the entry of County personnel onto the establishment’s property for the sole purpose of inspection for compliance with this order.

2. As a condition of opening, all establishments shall, as set forth in the Handbook:
 - a. post CDC signage in public locations emphasizing measures to “Stop the Spread” and to exercise social responsibility;
 - b. train all personnel in new operating protocols and modifications to existing codes of conduct to deal with COVID-19 issues;
 - c. reduce seating in breakrooms and common areas to ensure a minimum physical distance of six feet between people, and where possible, establish a single point of entrance;
 - d. post a contact email address, telephone number or both for employees and customers to raise questions or concerns;
 - e. if faced with infection from on-site personnel, immediately report the number of infected persons, time of infection, and proposed remediation plan to the Florida Department of Health, as more further specified in Exhibit A;
 - f. enhance sanitization of all common areas and frequent touch points;
 - g. place trash containers for facial coverings and other personal protective equipment (“PPE”) near exits, entrances and other common areas;
 - h. comprehensively clean establishments each night, including thoroughly disinfecting all frequent touch points and emptying all trash receptacles using solid waste bags that are double-bagged and securely sealed;
 - i. install hand sanitizer at entry points and throughout the property;
 - j. use reasonable efforts to ensure that on-site customers, employees, contractors, and vendors maintain appropriate social distancing, as recommended by the then-current CDC guidelines, which may include, but are not limited to, marking floors at appropriate intervals or providing other visible systems to identify the appropriate social distance; and
 - k. comply with any restrictions or requirements imposed pursuant to any Executive Order issued by the Governor, including, but not limited to, building capacity restrictions.

3. No establishment is required to comply with the provisions listed as “recommendations” in the Handbook, but all businesses are strongly urged to follow those recommendations to the maximum extent possible. However, activity and site-specific restrictions and requirements listed in the Handbook in **bold** must be followed by all applicable establishments.

4. The following establishments remain closed:

Miami-Dade County Declaration of Local State of Emergency

- a. bars, pubs, night clubs, banquet halls, cocktail lounges, cabarets, and breweries, except for take-out or delivery services as authorized pursuant to Emergency Order 03-20;
- b. movie theaters, concert houses, auditoriums, playhouses, bowling alleys, arcades, gymnasiums, and fitness studios;
- c. hotels and commercial lodging establishments, except as operated pursuant to Emergency Order 09-20, as amended;
- d. pools and hot tubs, except as authorized in Emergency Order 16-20, as amended;
- e. tattoo parlors; and
- f. massage parlors.

5. Any establishment that has an on-site employee or contractor who tests positive shall close for the shorter of:

- a. the time needed for all staff to be tested and the establishment to be deep-sanitized, as specified in the Handbook; or
- b. 14 days from the date such employee or contractor was last onsite at such establishment.

Where an establishment has multiple floors or structures, only those structures or floors where the infected person was present are required to be deep-sanitized as a condition of re-opening, and only those employees working in such structures or on such floors must be tested.

6. All persons working in or visiting an establishment, including but not limited to airports, seaports, and mass transit facilities and vehicles, shall wear a facial covering as described in Emergency Order 20-20, except that facial coverings shall not be required:

- a. for children under the age of two years;
- b. for persons who have trouble breathing;
- c. where Federal or state safety or health regulations prohibit the wearing of facial coverings; or
- d. for persons engaged in strenuous physical activity.

Additional PPE may be required of persons engaged in specific activities as described in the Handbook.

7. Restaurants in the unincorporated municipal service area that comply with the foregoing requirements may also provide outdoor dining areas in accordance with the provisions set forth in Exhibit B.

8. This order does not affect or limit the operations of Miami-Dade County, any public utility, any municipality, the Miami-Dade County School District, or any state or Federal office or facility, except that such entities shall abide by the restrictions of any County, municipal, state or Federal emergency order, as applicable.

Miami-Dade County Declaration of Local State of Emergency

- 9. This order does not limit the number of persons who may be physically present at any religious service. Persons attending religious services are urged, but are not required, to practice social distancing, such as keeping six feet between persons and limiting group size to less than ten people.
- 10. The provisions of this order shall serve as minimum standards. Municipalities may impose more stringent standards within their jurisdictions.
- 11. All prior emergency orders remain in effect except to the extent modified by this order. This order supersedes any conflicting provision of any prior order.
- 12. This order shall expire upon the expiration of the existing Miami-Dade County State of Local Emergency, provided, however, that if such State of Local Emergency is extended, this order shall also be deemed to be extended for the duration of such extension order. This order may be cancelled earlier by action of the County Mayor.
- 13. This order shall be effective as of 12:01 a.m., on Monday, May 18, 2020.
- 14. This order shall be provided to all appropriate media consistent with the requirements of section 8B-7(2)(n) of the Code of Miami-Dade County.

Enacted:

Signed: _____



COUNTY MAYOR

Date: 5/15/2020

Time: 17:35

Witness: Louder P. Jimenez

Cancelled:

Signed: _____

COUNTY MAYOR

Date: _____

Time: __: __

Witness: _____