

CITY OF CORAL GABLES

OFFICE OF THE MAYOR

TO: CITY COMMISSION
FROM: RAUL VALDES-FAUL
MAYOR

DATE: July 17, 2020
TIME: 4.25 PM

AMENDMENT NO. 2 TO AMENDED CITY OF CORAL GABLES EMERGENCY ORDER
REGARDING FACE COVERINGS/MASKS

WHEREAS, on March 12, 2020, I declared a state of emergency for the City of Coral Gables, Florida (the "City") as authorized by Chapter 252.38(3)(a), Florida Statutes, Section 6 of the City Charter, and Section 27-2(c)(6) of the City Code in response to the Novel Coronavirus Disease-2019 (COVID-19) (the "Declaration"); and

WHEREAS, the increasing effects of COVID-19 continue to require immediate and extraordinary actions by the City of Coral Gables in order to protect the safety, health, and welfare of the public due to the propensity of COVID-19 to spread person to person; and

WHEREAS, according to the Centers for Disease Control ("CDC"), COVID-19 spreads mainly from person to person through respiratory droplets produced when an infected person coughs, sneezes, or talks. These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs; and

WHEREAS, according to the CDC, due to COVID's method of transmission, it is critical to maintain 6-foot distance to slow the spread of the virus; and

WHEREAS, according to the CDC, where social distancing is difficult to maintain, the wearing of a face covering/masks help to avoid the spread of COVID-19 by providing an extra layer of protection to help prevent respiratory droplets from traveling in the air and onto other people; and

WHEREAS, it would serve the health, safety, and welfare of the residents of Coral Gables to require individuals to wear face coverings/masks; and

WHEREAS, on July 2, 2020, the Miami-Dade County Mayor issued Amendment No. 1 to Miami-Dade County Emergency Order 20-20 making the wearing of masks/facial coverings mandatory when in public which is stricter than the City's June 26, 2020 Emergency Order regarding face coverings/masks; and

WHEREAS, on July 2, 2020, I issued Amendment No. 1 to the Amended City of Coral Gables Emergency Order Regarding Face Coverings/Masks to make the City's Order consistent with Amendment No. 1 to Miami-Dade County Emergency Order 20-20; and

WHEREAS, on July 16, 2020, Miami-Dade County Board of Commissioners approved an Ordinance that makes failure to comply with emergency orders a civil offense, subject to a \$100 fine.

NOW, THEREFORE, pursuant to the Declaration and recent Miami-Dade County Emergency Orders collectively known as the "Safer at Home" and any further orders that may be issued to protect the health, safety and welfare of the City of Coral Gables. I, as Mayor of the City of Coral Gables, and pursuant to the authority granted to me by Section 252.38(3)(a), Florida Statutes, Section 6 of the City Charter, and Section 27-2(c)(3) of the City Code, and in addition to previously ordered emergency measures declared by myself and the City Manager, hereby amend Section 4 of the City's Emergency Order Regarding Face Coverings/Masks, as follows (with deletions indicated by ~~strike through~~ and insertions indicated by underline):

1. All persons, when in public, shall wear face coverings/masks, that are consistent with CDC guidelines, except as set forth in paragraph two (2) below.
2. Face coverings/masks shall not be required for:
 - a. children under two,
 - b. persons who have trouble breathing due to a chronic pre-existing condition,
 - c. persons who cannot comply with wearing a face covering/mask due to a disability,
 - d. where federal or state safety or health regulations prohibit the wearing of facial coverings/masks,
 - e. persons consuming food, beverage, or smoking,
 - f. persons receiving medical or grooming treatment to the face or mouth,
 - g. persons engaged in active strenuous physical exercise (which may include walking for exercise, jogging, running, or bicycling),
 - h. persons who are swimming or engaged in other activities which may cause the facial covering to become wet,
 - i. persons at or inside a private residence, and
 - j. persons inside private automobiles.
3. This Order is in addition to and supplements the City's emergency measures and directives and any and all actions taken by the City Manager in accordance with the Manager's authority. All requirements of the City's Code and emergency orders and directives, Miami-Dade County Emergency Orders, and State of Florida Executive Orders shall be strictly adhered to at all times.
4. Violations of this order may be enforced with the following enforcement procedures:
 1. Verbal warning.
 2. Code Enforcement citation of \$~~100~~50.

Nothing herein shall be interpreted to require that law enforcement follow these procedures prior to conducting an arrest.

THE EMERGENCY MEASURES THAT HAVE BEEN DIRECTED AND ORDERED ABOVE SHALL BE EFFECTIVE **IMMEDIATELY** UNTIL RESCINDED BY THE MAYOR.

C: City Manager
City Attorney
City Clerk
ACM
Directors

Approved as to form & legal sufficiency:

for Cristina M. Suarez
Miriam Soler Ramos, City Attorney