

CITY OF CORAL GABLES

OFFICE OF THE MAYOR

TO: CITY COMMISSION

DATE: August 14, 2020

FROM: RAUL VALDES FAULI  
MAYOR

TIME:

3.27 PM

---

AMENDMENT NO. 6 TO CITY OF CORAL GABLES EMERGENCY ORDER ALLOWING FOR  
THE LIMITED RE-OPENING OF RESTAURANTS AND CERTAIN ESTABLISHMENTS WITH  
CONDITIONS

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

**WHEREAS**, on March 25, 2020, I issued the City of Coral Gables “Safer at Home” Emergency Order (“City Order”); and

**WHEREAS**, the City understands the importance of strategically and responsibly re-opening the economy while providing appropriate protections for its residents and visitors; and

**WHEREAS**, on April 29, 2020, the Governor issued Executive Order 20-112 setting forth the terms for the State’s Phase 1 Recovery, which includes restaurants and retail establishments, but that order excluded Miami-Dade County, among others, except with regard to resuming elective medical procedures; and

**WHEREAS**, on May 9, 2020, the Governor issued Executive Order 20-120 expanding Phase 1 to include barbershops, cosmetology, and cosmetology special salons; and

**WHEREAS**, on May 14, 2020, the Governor issued Executive Order 20-122 to include Miami-Dade County in the Phase 1 Recovery, as expanded by Executive Order 20-120; and

**WHEREAS**, on May 14, 2020, the Governor issued Executive Order 20-123 establishing an indoor occupancy limit of fifty (50) percent of an establishment’s seating capacity (excluding employees) for restaurants, retail establishments, museums, and gyms; and

**WHEREAS**, the Miami-Dade Mayor has issued a series of emergency orders, collectively known as the “Safer at Home” protocols pursuant to Emergency Order 12-20; and

**WHEREAS**, on May 15, 2020, based on the above-included Governor’s Executive Orders, Miami-Dade County Mayor issued Emergency Order 23-20 allowing for the re-opening of restaurants

and certain retail establishments with specific conditions, requiring certain measures if an employee tests positive, and expressly allowing for municipalities to impose more stringent standards; and

**WHEREAS**, County Emergency Order 23-20 required that certain types of establishments remain closed; and

**WHEREAS**, on May 16, 2020, I issued “City of Coral Gables Emergency Order Allowing for the Limited Re-Opening of Restaurants and Certain Establishments with Conditions” (“City’s Re-Opening Order”); and

**WHEREAS**, on May 22, 2020, the Governor issued Executive Order 20-131 allowing for the operation of organized youth activities and summer camps; and

**WHEREAS**, on May 27, 2020, Amendment No. 1 to County Emergency Order 23-20 clarified the social distancing requirement, updated the list of establishments and events permitted to open and those that must remain closed, clarified the facial covering requirement when dining at a restaurant, and updated protocols businesses must apply when an employee tests positive for COVID-19; and

**WHEREAS**, on May 29, 2020, I issued Amendment No. 1 to the City’s Re-Opening Order, consistent with Amendment No. 1 to County Emergency Order 23-20; and

**WHEREAS**, on May 31, 2020, the Miami-Dade County Mayor issued County Emergency Order 24-20 reiterating that public pools, including community pools, may open to the public in accordance with certain standards, allowing banquet facilities and similar venues to open, if operated at 50 percent of their rated capacity and in accordance with certain standards, and cancelling certain emergency orders; and

**WHEREAS**, on June 2, 2020, I issued Amendment No. 2 to the City’s Re-Opening Order, consistent with County Emergency Order 24-20; and

**WHEREAS**, on June 3, 2020, the Governor issued Executive Order 20-139 allowing for the reopening of bars, movie theaters, concert houses, auditoriums, playhouses, bowling alleys, arcades, and for the providing of personal services such as tattooing, body piercing, acupuncture, tanning and massage, effective June 5, 2020, but excluding Miami-Dade, Broward and Palm Beach counties until approval was provided to the County Mayor/Administrator; and

**WHEREAS**, on June 4, 2020, the Miami-Dade County Mayor issued Amendment No. 2 to County Emergency Order 23-20 allowing for the reopening of banquet halls, gyms, fitness centers, summer camps, youth activities, massage studios or parlors, and tattoo parlors in accordance with certain standards; providing a process for the opening of movie theaters, bowling alleys, amusement facilities, casinos, and other similar establishments; and allowing for bars, pubs and night clubs to sell food and alcoholic beverages, subject to certain licensing requirements and in accordance with the rules for restaurants; and

**WHEREAS**, on June 19, 2020, the Miami-Dade County Mayor issued Amendment No. 3 to County Emergency Order 23-20 allowing for the immediate closure of establishments that fall out of compliance with pertinent orders and requirements; and

**WHEREAS**, on June 28, 2020, the Miami-Dade County Mayor issued Amendment No. 4 to County Emergency Order 23-20 amending the procedure for reopening an establishment once it has been closed for non-compliance and prohibiting establishments from selling alcohol, for on-site consumption, between the hours 12:01 a.m. and 6 a.m. each day beginning June 29, 2020; and

**WHEREAS**, on June 30, 2020, the Miami-Dade County Mayor issued Amendment No. 5 to County Emergency Order 23-20 requiring that all restaurants and other food service establishments, with seating for more than eight (8) people, close for on-premise dining between 12:01 a.m. and 6 a.m. each day beginning July 1, 2020; and

**WHEREAS**, on June 30, 2020, the Miami-Dade County Mayor issued Amendment No. 1 to Emergency Order 25-20 restricting certain activities during the July 4<sup>th</sup> holiday weekend; and

**WHEREAS**, on July 2, 2020, the Miami-Dade County Mayor issued County Emergency Order 26-20 closing movie theaters, concert houses, auditoriums, playhouses, bowling alleys, arcades, amusement parks, casinos; and

**WHEREAS**, on July 2, 2020, the Miami-Dade County Mayor issued County Emergency Order 27-20 establishing a curfew between the hours of 10 p.m. and 6 a.m.; and

**WHEREAS**, on July 3, 2020, the Miami-Dade County Mayor issued Amendment No. 1 to County Emergency Order 26-20 closing adult theaters/special cabarets; and

**WHEREAS**, on July 7, 2020, the Miami-Dade County Mayor issued Amendment No. 2 to County Emergency Order 26-20, closing banquet halls and ballrooms, requiring all individuals in a gym to wear a mask at all times, limiting all restaurants, cafeterias, and other food service establishments, with seating for more than eight (8) people, to outdoor on-premise service only, and imposing restrictions on short-term vacation rentals; and

**WHEREAS**, I have issued Amendment Nos. 3, 4, and 5 to the City's Re-opening Order, consistent with County Orders and Amendments to County Orders; and

**WHEREAS**, I would like to clarify that in addition to the enforcement procedures in all applicable Miami-Dade County Orders, businesses that operate in violation of this order, or any applicable order, also remain subject to code enforcement procedures pursuant to City of Coral Gables Ordinance No. 2020-19 and as specified in this Amendment.

**NOW, THEREFORE**, 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, and Section 27-2(c)(6) of the City Code, in addition to previously ordered emergency measures declared by myself and the City Manager, hereby further amend Section 5 of the City's May 16<sup>th</sup> Re-Opening Order, as follows<sup>1</sup>:

4. **Enforcement.** 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

---

<sup>1</sup> Deletions are indicated by ~~strike through~~. Insertions are indicated by underline.

(as amended), Miami-Dade County emergency Orders, and State of Florida Executive Orders shall be strictly adhered to at all times. Violations of this order, or any applicable order, by individuals may be enforced with the following enforcement procedures:

- a. Verbal warning.
- b. Written warning.
- c. Code Enforcement/Civil citation of \$100.
- d. Arrest.

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

Businesses that operate in violation of this order, or any applicable order, are subject to the following enforcement procedures, pursuant to City of Coral Gables Ordinance No. 2020-19; in all applicable Miami-Dade County Orders, as may be amended

- a. Verbal warning.
- b. Written warning.
- c. Code enforcement citation of \$500.

*Nothing herein shall be interpreted to require that law or code enforcement follow these procedures prior to ordering the immediate closure of a business as allowed pursuant to Amendment No. 4 to County Emergency Order 23-20 where otherwise warranted.*

THIS AMENDMENT SHALL BE EFFECTIVE IMMEDIATELY.

C: City Manager  
City Attorney  
City Clerk  
ACM  
Directors

Approved as to form & legal sufficiency:



\_\_\_\_\_  
Miriam Soler Ramos, City Attorney