

CITY OF NORTH MIAMI

**EMERGENCY ORDER REQUIRING THE USE OF FACIAL COVERINGS,
REGULATIONS RELATED TO BARS, RESTAURANTS AND SOCIAL GATHERINGS
(EFFECTIVE FRIDAY, JULY 3, 2020 @ 12:01 a.m.)**

WHEREAS, COVID-19 is a respiratory illness caused by a virus that spreads rapidly from person to person and may result in serious illness or death, and constitutes a clear and present threat to the lives, health, welfare, and safety of the people of the City of North Miami, Florida; and

WHEREAS, on March 9, 2020, Florida Governor Ron DeSantis promulgated Executive Order 20-52 and declared a State of Emergency in Florida in response to COVID-19; and

WHEREAS, on Friday, March 13, 2020, the City of North Miami, declared a state of emergency which, among other requirements, imposed emergency measures effective immediately; and

WHEREAS, this Order is given because the increasing number of cases and the effects of COVID-19 require immediate actions by the City of North Miami to protect the health, safety, and welfare of the public due to the propensity of the virus to spread person to person; and

WHEREAS, pursuant to Section 252.46, Florida Statutes, municipalities have the power to issue emergency orders with the force of law; and

WHEREAS, the United States Centers for Disease Control and Prevention (“CDC”) recommends “wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain”; and

WHEREAS, prolonged gatherings on-premises at restaurants may contribute to the risk of spread of COVID-19; and

WHEREAS, individuals and families often gather in large numbers over the Fourth of July weekend, and holiday gatherings, such as those that occurred in many places over Memorial Day, may have driven the spread of COVID-19; and

WHEREAS, it is necessary and appropriate to take action to ensure that COVID-19 remains controlled, and that residents in the City of North Miami remain safe and secure.

Now, therefore, I, Theresa Therilus, Esq., City Manager, by virtue of the power vested in me by the North Miami Code of Ordinances pursuant to the state of emergency that was executed on Friday, March 13, 2020, I hereby **ORDER** and **PROMULGATE** the following additional emergency measures, effective **July 3, 2020 at 12:01 a.m.** (the “Order”):

Section 1. Covering of Nose and Mouth.

- a) All persons at all locations, indoors and outdoors, where social distancing measures are difficult to maintain shall wear face coverings/masks, that are consistent with CDC guidelines.
- b) Face coverings/masks shall not be required for children under two, persons who have trouble breathing due to a chronic pre-existing condition, or persons engaged in strenuous physical exercise (which may include walking for exercise, jogging, running, or bicycling).
- c) A covering over the nose and mouth may include a face mask, homemade mask, or other cloth covering, such as a scarf, bandana, handkerchief or other similar cloth covering which meets or exceeds CDC guidelines.
- d) The provisions contained within the City's initial Emergency Order Requiring the Use of Face Coverings issued on April 9, 2020 remain in effect. As such, all employees and customers of grocery stores, hardware stores, pharmacies and restaurants are **required** to wear a form of covering over their noses and mouths at all times while inside the grocery store, hardware store, pharmacy or restaurant facility. All individuals providing delivery services shall wear a form of covering over their noses and mouths while making deliveries. Employees and customers of all other essential retail and commercial establishments are **strongly encouraged** to wear a form of covering over the nose and. All essential retail and commercial establishments are **strongly encouraged** to implement policies for employees to use other personal protective equipment, such as gloves, subject to the availability of such items.

Section 2. Bars and Restaurants

- a) No establishment permitted to open that serves alcohol shall sell alcohol for on-site consumption between the hours of 12:01 a.m. and 6:00 a.m. each day.
- b) Restaurants and other food service establishments with seating for more than eight people shall close for on-premises dining between 12:01 a.m. and 6:00 a.m. each day. Notwithstanding the foregoing, such establishments may operate their kitchens for the purpose of providing delivery services, pick-up or take out services. Employees, janitorial personnel, contractors, and delivery personnel shall be allowed access to such establishments at all times.
- c) The following establishments remain closed: Bars, pubs, night clubs, cocktail lounges, cabarets, hookah lounges and breweries provided, however, that such venues, if licensed as a public food service establishment pursuant to chapter 509, Florida Statutes, may: (1) sell food and alcoholic beverages for onsite

consumption in conformance with the rules for restaurants set forth in the Handbook, and (2) have performances if performers are no less than ten feet from patrons at all times and such patrons observe such performances from tables or stationary seats.

Section 3. Social Gatherings and Events

Social gatherings and events with more than twenty-five (25) attendees are strongly discouraged.

Section 4. This Order is in addition to, and supplements, the City’s Emergency Orders. All requirements of City Emergency Orders, Miami-Dade County Emergency Orders, and State of Florida Executive Orders shall be strictly adhered to at all times.

THE EMERGENCY MEASURES THAT HAVE BEEN ORDERED AND PROMULGATED ABOVE SHALL BE EFFECTIVE JULY 3, 2020 AT 12:01 a.m. UNTIL RESCINDED BY THE CITY MANAGER OR UNTIL THE TERMINATION OF THE STATE OF EMERGENCY.

Dated: 7/2/2020

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Theresa Therilus, Esq., City Manager
By: 6DD5C0CBE144A0...
Theresa Therilus, Esq., City Manager

ATTEST:

DocuSigned by:

BB47A3B4B262492
Vanessa Joseph, Esq., City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

DocuSigned by:

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Jeff P. H. Cazeau, Esq., City Attorney