



**VILLAGE OF PALMETTO BAY  
EMERGENCY ORDER NO. 06-20**

**WHEREAS**, on March 1, 2020, the Governor of the State of Florida issued Executive Order Number 20-51 declaring a public health emergency owing to the outbreak of the Novel Coronavirus Disease 2019 (Covid-19); and

**WHEREAS**, on March 9, 2020, the Governor issued Executive Order 20-52 which declared a State of Emergency which authorized governmental bodies responding to the emergency to have the authority to suspend the operation of the statutes, rules ordinances they administer, attached as Exhibit "A"; and

**WHEREAS**, in response, on March 12, 2020, the Mayor of Miami-Dade County issued a County Declaration of Local State of Emergency, attached hereto as Exhibit B, which Order has been extended by the County Mayor each seven-day period as required by law and thereby continues to be in full effect as of the date of this Order; and

**WHEREAS**, in order to protect the health, safety and welfare of the residents of the Village, the Interim Village Manager issued a Declaration of a State of Emergency for the Village of Palmetto Bay on March 13, 2020, hereby attached as Exhibit "C", and which has been extended every seven-day period as required by law and which is currently in effect; and

**WHEREAS**, on March 21, 2020, the Mayor of Miami-Dade County issued Emergency Order 09-20, which, among other things, established a classification of "Essential Lodgers" who may continue to reside in and make new reservations in Hotels, Motels and other commercial lodging establishments, while not allowing non-Essential Lodgers to make new reservations; and

**WHEREAS**, Miami-Dade County has experienced the exponential growth of those infected with the COVID-19 virus; and

**WHEREAS**, Emergency Order 09-20 provides that the maximum daytime and overnight occupancy for short-term 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

**WHEREAS**, Emergency Order 09-20 further provides that new rental agreements shall not be entered into on a nightly or weekly basis effective March 23, 2020; and

**WHEREAS**, effective July 9, 2020, Emergency Order 09-20 was superseded by Emergency Order 24-20, included herein as Exhibit D, however, the requirements of the latter as related to short-term rentals continue to be the same as Emergency Order 09-20; and

**WHEREAS**, Emergency Order 24-20 specifically allows municipalities to impose stricter standards within their jurisdiction; and

**WHEREAS**, as the health and safety of residents of Palmetto Bay is best served by reducing excessive congestion and potential exposure to COVID-19, the Village Council wishes at this time to prohibit short-term vacation rentals in the Village.

**NOW THEREFORE**, by virtue of the powers and duties vested in me as the Village Manager of the Village of Palmetto Bay, Miami-Dade County, Florida, in accordance with Section 252.38 of the Florida Statutes, under Chapter 14, Article III, Sec. 14-80 (a) of the Village Code, and pursuant to the Village's Declaration of a State of Emergency issued on March 13, 2020 and as extended, I find that the following Order will further mitigate the spread of the COVID-19 virus and serve the health, safety and welfare of the residents of Palmetto Bay.

Accordingly, I hereby Order the following:

1. Temporary vacation rentals (i.e. short-term rentals) shall immediately begin to shut down operations and vacate guests from their premises, and not to enter into a new lease or contract as of 11:59 p.m. on July 30, 2020. No extensions shall be permitted. Existing leases that were agreed upon prior to this Order must be terminated and all guests must vacate those premises no later than 12:01 p.m. on August 12, 2020.
2. Temporary vacation rentals (i.e. short term rentals) shall cancel all existing reservations, and shall refrain from accepting new guests or making new reservations for stays for the booking period commencing at 12:01 a.m. on July 30, 2020 until the State of Emergency in the Village of Palmetto Bay has concluded.
3. This Order shall not apply for the limited purpose of temporary vacation rentals (i.e. short term rentals providing emergency healthcare services or other essential services, including, without limitation, to serve as shelters, or to house patients (for any health-care related purposes, such as pre-admission, observation, recovery, or rehabilitation), patients' families, healthcare workers, first responders, law enforcement or other essential personnel, or displaced residents or visitors.
4. This Order shall be effective as of 12:01 a.m. July 30, 2020, and may be cancelled or amended by action of the Village Manager.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the Village of Palmetto Bay to be affixed this 29<sup>th</sup> day of July, 2020.

DocuSigned by:

*Gregory H. Trutt*

Gregory Trutt

Interim Village Manager

**Attest:**

DocuSigned by:

*Missy Arocha*

Missy Arocha

Village Clerk



# EXHIBIT A

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR

### EXECUTIVE ORDER NUMBER 20-166

(Emergency Management – Extension of Executive Order 20-52 – COVID-19)

**WHEREAS**, on March 9, 2020, I issued Executive Order 20-52, declaring a state of emergency for the entire state due to COVID-19; and

**WHEREAS**, on March 25, 2020, President Donald J. Trump approved my request and declared a Major Disaster due to COVID-19 in Florida; and

**WHEREAS**, on June 3, 2020, I issued Executive Order 20-139, implementing Phase 2 of my Safe. Smart. Step-by-Step. Plan for Florida’s Recovery; and

**WHEREAS**, I, as Governor of Florida, am committed to providing all available resources and assisting all Floridians and our local communities with their efforts; and

**WHEREAS**, no state of emergency declared pursuant to the Florida Emergency Management Act may continue for more than 60 days unless renewed by the Governor; and

**WHEREAS**, the impact of COVID-19 poses a continuing threat to the health, safety and welfare of the State of Florida and its residents.

**NOW, THEREFORE, I, RON DESANTIS**, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution and by the Florida Emergency Management Act, as amended, and all other applicable laws, promulgate the following Executive Order, to take immediate effect:

Section 1. The state of emergency declared in Executive Order 20-52, as extended by Executive Order 20-114, will be extended for 60 days following the issuance of this order for the entire State of Florida.

Section 2. To the extent Executive Order 20-139, Phase 2: Safe. Smart. Step-by-Step. Plan for Florida's Recovery, amended or extended any executive order related to COVID-19, the referenced executive orders shall remain in effect, as modified.

Section 3. All actions taken by the Director of the Division of Emergency Management as the State Coordinating Officer with respect to this emergency before the issuance of this Executive Order are ratified, and he is directed to continue to execute the State's Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency.

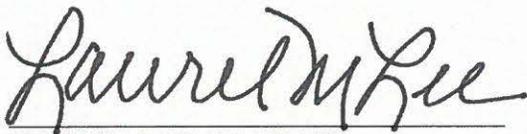
Section 4. Except as amended herein, Executive Order 20-52, extended by Executive Order 20-114, is ratified and reaffirmed.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 7th day of July, 2020.

  
\_\_\_\_\_  
RON DESANTIS, GOVERNOR

ATTEST:

  
\_\_\_\_\_  
SECRETARY OF STATE

**FILED**  
2020 JUL - 7 AM 10: 08  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA



# EXHIBIT B

CFN 2020R0158237 OR BK 31848 Pgs 2080-2083 4Pgs  
RECORDED 03/12/2020 11:00:17  
HARVEY RUVIN, CLERK OF COURT, MIAMI-DADE COUNTY, FLORIDA



LINDA L. CAVE, Deputy Clerk  
*Linda L. Cave*  
CLERK OF THE BOARD

2020 MAR 12 AM 8:51

CLERK OF COURT  
MIAMI-DADE COUNTY, FLA.  
#1

**MIAMI-DADE COUNTY DECLARATION OF LOCAL STATE OF EMERGENCY**

WHEREAS, Section 252.38(3)(a), Florida Statutes, gives authority to political subdivisions to declare and enact a State of Local Emergency for a period of up to seven (7) days, thereby waiving the procedures and formalities otherwise required of the political subdivision by law; and

WHEREAS, on March 1, 2020, the Governor of Florida issued Executive Order Number 20-51 directing the State Health Officer and Surgeon General to declare a Public Health Emergency due to the discovery of COVID-19/novel Coronavirus in Florida; and

WHEREAS, on March 9, 2020, the Governor of Florida issued Executive Order Number 20-52, declaring a State of Emergency for the state of Florida related to COVID-19/novel Coronavirus; and

WHEREAS, COVID-19/novel Coronavirus poses a health risk to Miami-Dade County residents, particularly elderly residents; and

WHEREAS, responding to the threat posed by COVID-19/novel Coronavirus may require extraordinary and immediate actions by Miami-Dade County in order to protect the public health, safety, and welfare,

THEREFORE, as County Mayor of Miami-Dade County, I hereby declare a State of Local Emergency, effective as of 9:00 AM March 12, 2020, that will continue for seven (7) days thereafter or if cancelled before that period of time. This Local State of Emergency includes all of Miami-Dade County.

Pursuant to this Declaration, further orders may be issued to protect the health, safety, and welfare of the community. Such orders may include, but are not limited to, orders related to the items listed in 1.a-p attached. The Deputy Mayors, through the Director of the Office of Emergency Management, are hereby ordered to take whatever prudent actions are necessary to effectuate such orders and to otherwise protect the health, safety, and welfare of the community.

Enacted:  
Signed: *[Signature]*  
COUNTY MAYOR

Date: 3/11/2020 Time: 22:30

Witness: *[Signature]*

A TRUE COPY  
CERTIFICATION ON LAST PAGE  
HARVEY RUVIN, CLERK

Miami-Dade County Declaration of Local State of Emergency

Cancelled:

Signed: \_\_\_\_\_

**COUNTY MAYOR**

Date: \_\_\_\_\_

Time: \_\_:\_\_

Witness: \_\_\_\_\_

**Action Options for State of Local Emergency**

1. Executive Orders of the Mayor to include:
  - a) Employee Recall order: An order recalling Miami-Dade County employees from vacation, canceling days off, and mobilizing all personnel required for disaster response;
  - b) Authorizing the Internal Services Department to suspend normal leasing and bid procedures to procure space, structures or other items under their normal authority for disaster response determined necessary by the Director;
  - c) Authorizing procurement of supplies, equipment, and services without formal bidding procedures;
  - d) Evacuation Order: A mandatory order(s) directing the evacuation of appropriate area(s) of the County deemed to be in imminent danger from disaster;
  - e) Curfew: In the period before, or during and immediately after an event, an order imposing a general curfew applicable to the County as a whole, or to geographical area(s) of the County and during hours the Mayor deems necessary, and from time to time, to modify the hours the curfew will be in effect and what area(s) it applies to;
  - f) An order requiring any and all commercial establishments located in area(s) of imminent or actual danger to close and remain closed until further order;
  - g) An order requiring the closure of any or all bars, taverns, liquor stores, and other business establishments where alcoholic beverages are predominantly sold or otherwise dispensed; provided that with respect to those business establishments which are not primarily devoted to the sales of alcoholic beverages, and in which such alcoholic beverages may be removed or made secure from seizure by the public, the portions thereof utilized for the sale of items other than alcoholic beverages may, at the discretion of the Mayor, be allowed to remain open;
  - h) An order requiring the discontinuance of the sale, distribution or giving away of alcoholic beverages in any or all parts of Miami-Dade County;
  - i) An order requiring the discontinuance of the sale, distribution or giving away of gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly attached to a gas powered vehicle;

Miami-Dade County Declaration of Local State of Emergency

- j) Intentionally Omitted;
- k) An order closing to the public any or all public places including streets, alleys, public ways, schools, parks, beaches, amusement areas and public buildings;
- l) In addition to the provisions of Chapter 8A-5 of the Code of Miami-Dade County, orders to prevent price gouging for any essential commodity, dwelling unit, or storage facility;
- m) Orders requesting the conservation of water supplies;
- n) Such other orders as are immediately necessary for the protection of life and property; provided, however, that any such orders shall, at the earliest practicable time, be presented to the Board for ratification or confirmation in accordance with chapter 8B.
- o) The Mayor shall cause any proclamation ordered by the Mayor or the Board pursuant to the authority in this chapter to be delivered to all news media within the County, and shall utilize whatever available means to give public notice of such proclamation.
- p) The Mayor is hereby authorized to cancel any or all meetings of Miami-Dade County boards, authorities, agencies, instrumentalities and councils.

STATE OF FLORIDA, COUNTY OF MIAMI-DADE  
I HEREBY CERTIFY that the foregoing is a true and correct copy of the  
original on file in this office. March 12 AD 2020  
HARVEY RUVIN, Clerk of Circuit and County Courts  
Deputy Clerk Jandra Deunay



240370



# EXHIBIT C



**VILLAGE OF PALMETTO BAY  
DECLARATION OF A STATE OF EMERGENCY**

**WHEREAS**, Florida Statute 252.38(3), provides authority to political subdivisions, to declare and enact State of Local Emergency for up to seven (7) days, thereby waiving procedures which should otherwise be required of the political subdivision by State or local law; and

**WHEREAS**, A State of Emergency was declared by Governor Ron DeSantis of the State of Florida, Executive Order No. 20-52 (*Exhibit "A"*) on March 9, 2020, and Miami-Dade County executed a Declaration of Local State of Emergency on March 12, 2020 (*Exhibit "B"*) following the discovery of the dangerous and highly contagious COVID-19 Virus; and

**WHEREAS**, responding to the COVID-19 menace may require considerable and immediate action by the Village in order to protect the health and welfare of its' residents; and

**WHEREAS**, the Village of Palmetto Bay declares a State of Emergency pursuant to Florida Statutes Section 252.38, and pursuant to Section 14-80 of the Village's Code of Ordinances titled Certification of Emergency Conditions, allowing the Village Manager, Gregory H. Truitt to take any action to purchase or enter in agreements necessary for the welfare of the Village of Palmetto Bay; and

**WHEREAS**, the Village Manager shall adopt orders issued by the State of Florida and Miami-Dade County emergency management agencies. This State of Emergency shall continue in full effect for the next seven (7) days and this Order may be extended in increments of seven (7) days as necessary.

**PURSUANT TO THIS DECLARATION**, further orders may be issued to protect the health, safety, welfare, property, and public infrastructure, and provide such emergency assistance deemed necessary.

**IN WITNESS WHEREOF**, we have hereunto set our hand and caused the seal of the Village of Palmetto Bay to be affixed this 13<sup>th</sup> day of March 2020 at 3:57 p.m. (EST).

Gregory H. Truitt, Village Manager

Karyn Cunningham, Mayor

ATTEST:

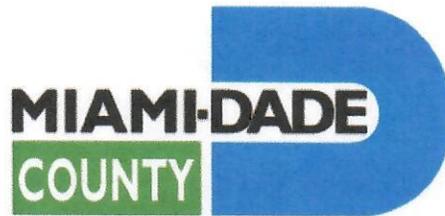
Missy Arocha, Village Clerk

Seal:





# EXHIBIT D



## **MIAMI-DADE COUNTY EMERGENCY ORDER 09-20**

WHEREAS, section 252.38(3)(a), Florida Statutes, gives political subdivisions the authority to declare and enact a State of Local Emergency for a period of up to seven days, thereby waiving the procedures and formalities otherwise required of the political subdivision by law; and

WHEREAS, on March 1, 2020, the Governor of Florida issued Executive Order Number 20-51, directing the State Health Officer and Surgeon General to declare a Public Health Emergency due to the discovery of COVID-19/novel Coronavirus in Florida; and

WHEREAS, on March 9, 2020, the Governor of Florida issued Executive Order Number 20-52, declaring a State of Emergency for the state of Florida related to COVID-19/novel Coronavirus; and

WHEREAS, on March 12, 2020, the County Mayor declared a State of Emergency for all of Miami-Dade County; and

WHEREAS, COVID-19/novel Coronavirus poses a health risk to Miami-Dade County residents, particularly elderly residents and those who are immunosuppressed or otherwise have high-risk medical conditions; and

WHEREAS, minimization of contact is necessary to avoid risk of COVID-19 infection for the residents of the County; and

WHEREAS, the Centers for Disease Control (CDC) has issued guidance entitled "15 Days to Slow the Spread," encouraging social distancing and maintaining a 6 foot separation between residents to slow the spread of infection and that events with more than ten attendees either be cancelled or held virtually; and

WHEREAS, the CDC guidelines are based upon the amount of community spread within a community and become more stringent where there is minimal to moderate or substantial community spread; and

WHEREAS, numerous persons have congregated in Miami-Dade County for spring break and other social activities, and are congregating in and around hotels without observing the social distancing guidelines as recommended by the CDC; and

## Miami-Dade County Declaration of Local State of Emergency

WHEREAS, it is in the best interests of Miami-Dade County to prevent crowds of people inside and around hotels, as COVID-19 continues to spread through both the local community and throughout the nation; and

WHEREAS, hotels, motels, and short-term vacation rentals and other commercial lodging establishments may serve as shelters or housing options for healthcare professionals, first responders, national guard members, law enforcement, state or federal government employees, airline crewmembers, other essential personnel, patients, patients' families, journalists, and others responding to the COVID-19 emergency, or displaced residents or visitors, persons unable to return to their home due to exigent circumstances, such as fire or flood, persons utilizing hotels as transitional living arrangements, persons sheltering in hotels due to domestic violence, hotel employees, service providers and contractors, or individuals, who, for any reason, are temporarily unable to reside in their home; and

WHEREAS, some Miami-Dade County residents rely on hotels and motels for weekly and monthly long-term living arrangements and the closure of commercial lodging establishments would negatively affect their living arrangements; and

WHEREAS, section 252.46, Florida Statutes, directs local governments to act consistent with Federal recommendations in responding to emergency situations; and

WHEREAS, sections 8B-7(2)(e) and (o) of the Code of Miami-Dade County ("Code") authorize the County Mayor to limit the movement of persons inside Miami-Dade County in order to safeguard life and health,

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

1. To aid the availability of hotel rooms for (1) healthcare professionals, (2) first responders, (3) National Guard members, (4) law enforcement, (5) state or federal government employees, (6) airline crewmembers, (7) patients, (8) patients' families, (9) journalists, (10) others responding to COVID-19, (11) displaced residents or visitors, (12) persons unable to return their home due to COVID-19 impacts on travel, (13) persons who must vacate their homes due to exigent circumstances, such as fire or flood, (14) persons utilizing hotels as transitional living arrangements, (15) persons sheltering in hotels due to domestic violence, (16) hotel employees, service providers, and contractors, or (17) individuals who, for any reason, are temporarily unable to reside in their home ("Essential Lodgers"), the following restrictions shall apply to commercial lodging establishments:

- (a) Hotels, motels, and other commercial lodging establishments shall not accept new reservations for persons other than Essential Lodgers.
- (b) Hotels, motels, and other commercial lodging establishments may accept reservations for new Essential Lodgers.

2. Notwithstanding section 33-28(D)(3) of the Code, the maximum daytime and overnight occupancy for short-term vacation rentals shall be up to a maximum of two persons per bedroom

Miami-Dade County Declaration of Local State of Emergency

plus two additional persons per property not to exceed a maximum of ten persons. New rental agreements shall not be entered into on a nightly or weekly basis, effective March 23, 2020.

3. The provisions of this order shall serve as minimum standards. Municipalities may impose more stringent standards within their jurisdictions.

4. This order shall be effective immediately.

5. The County Mayor may amend the provisions of paragraphs 1 or 2 by written notice to the County Clerk.

6. This order shall expire upon the expiration of the existing Miami-Dade County State of Local Emergency, except that if such State of Local Emergency is extended, this order shall also be deemed to extend for the duration of such extension. This order may be cancelled earlier by action of the County Mayor.

7. This order shall be provided to all appropriate media consistent with the requirements of section 8B-7(2)(n) of the Code.

Enacted:

Signed: \_\_\_\_\_



COUNTY MAYOR

Date: 3/21/2020

Time: 10:20

Witness: \_\_\_\_\_

Cancelled:

Signed: \_\_\_\_\_

COUNTY MAYOR

Date: \_\_\_\_\_

Time: \_\_\_\_:\_\_\_\_

Witness: \_\_\_\_\_

**Miami-Dade County Declaration of Local State of Emergency**