



**TOWN OF SURFSIDE
OFFICE OF THE TOWN MANAGER**

UPDATE NO. 8 – TOWN OF SURFSIDE EMERGENCY MEASURES

REOPENING OF RETAIL AND COMMERCIAL ESTABLISHMENTS

(Effective May 18, 2020 at 8:00 a.m.)

WHEREAS, on March 9, 2020, Governor DeSantis issued Executive Order 20-52, declaring a State of Emergency in the State of Florida due to Novel Coronavirus Disease 2019 (“COVID-19”); and

WHEREAS, on March 12, 2020, the Town of Surfside, Florida (“Town” or “Surfside”) declared by Resolution No. 2020-2676 a state of emergency for the Town of Surfside as authorized by Section 252.38(3)(a), Florida Statutes, and Chapter 2, Article VIII “Emergency Management Procedures” of the Town Code, in response to COVID-19; and

WHEREAS, on March 23, 2020, the Town issued Update No. 3 – Town of Surfside Emergency Measures, “Safer at Home” Emergency Order, which, among other requirements, urged all persons living within the Town to remain in their homes and provided that residents could engage in essential retail and commercial activities, including, without limitation, travel to or from essential retail and commercial businesses, as defined in Miami-Dade County Emergency Order 07-20, as amended; and

WHEREAS, on April 1, 2020, Governor DeSantis issued a statewide Safer at Home Order; and

WHEREAS, on April 29, 2020, Governor DeSantis issued Executive Order 20-112, implementing Phase 1 of Florida’s “Safe. Smart. Step-by-Step. Plan for Florida’s Recovery,” excluding Broward County and Miami-Dade County, adding certain additional services to the services previously permitted under Executive Order 20-91, including on premises consumption of food and beverage at restaurants, operation of in-store retail, and opening of museums, subject to a 25% capacity limitation; and

WHEREAS, on May 14, 2020, Governor DeSantis issued Executive Order 20-122, amending Executive Order 20-112 to include Broward County and Miami-Dade County in Phase 1; and

WHEREAS, on May 15, 2020, Governor DeSantis issued Executive Order 20-123, expanding Phase 1 to allow on premises consumption of food and beverage at restaurants, operation of in-store retail, and opening of museums, subject to a 50% capacity limitation; and

WHEREAS, on May 15, 2020, Miami-Dade County issued Emergency Order 23-20 attached hereto as Exhibit “A”, providing for and implementing the reopening of certain retail, commercial, and other establishments and facilities with specific conditions, together with “The New Normal” A Guide for Residents and Commercial Establishments dated May 15, 2020 attached thereto as Exhibit “A” (“Handbook”), and Outdoor Dining Areas attached thereto as Exhibit “B”, all of which are incorporated herein, adopted and collectively referred to as “County Emergency Order 23-20”; and

WHEREAS, the Handbook, titled, "The New Normal," outline how office spaces, retail, and personal grooming establishments as well as restaurants must proceed if they decide to reopen. Without exception, all reopened businesses and restaurants will need to adhere to the general health/safety requirements County Emergency Order 23-20 mandates for all establishments, as well as requirements relevant to their industry, which are found in the "New Normal" Handbook attached to and made a part of County Emergency Order 23-20; and

WHEREAS, County Emergency Order 23-20 requires that the following types of establishments remain closed: bars, pubs, night clubs, banquet halls, cocktail lounges, cabarets, and breweries (except for take-out or delivery); movie theaters, concert houses, auditoriums, playhouses, bowling alleys, arcades, and gyms, hotels (except as operated pursuant to County Order 09-20), pools and hot tubs (except those in single-family homes or at a townhouse duplex or villa), tattoo parlors and massage parlors; and

WHEREAS, the detailed findings of Governor DeSantis’ Executive Orders Numbers 20-52, 20-112, 20-122 and 20-123 are hereby incorporated by reference; and

WHEREAS, the detailed findings of Miami-Dade County Mayor Gimenez as set forth in County Emergency Order 23-20 are hereby adopted and incorporated by reference; and

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

WHEREAS, as the Town begins to move towards a “new normal” in the wake of the COVID-19 pandemic, it is the Town’s intent that every retail, commercial, and any other establishment or facility within the Town’s jurisdiction (collectively, “Establishment”) follow the requirements established by County Emergency Order 23-20.

NOW, THEREFORE, as Town Manager of the Town of Surfside, Florida, and pursuant to the authority vested in me by Section 252.38(3)(a), Florida Statutes, and Town Code Chapter 2,

Article VIII “Emergency Management Procedures”, in addition to previously ordered emergency measures and directives promulgated, I hereby **ORDER** and **PROMULGATE** the following additional emergency measures, effective **May 18, 2020, at 8:00 a.m.** (the “Order”):

1. State of Florida Executive Orders 20-112, 20-120, and 20-123 and County Emergency Order 23-20, together with all attachments and exhibits (Handbook and Outdoor Dining Areas), are hereby incorporated by reference.
2. **Permitted Retail and Commercial Activities and Establishments.** Notwithstanding the provisions above, all residents and businesses, and/or Establishments in the Town may lawfully engage in the following activities:
 - a. Residents and visitors may engage in permitted retail and commercial activities, including travel to or from permitted retail and commercial Establishments, as defined in County Emergency Order 23-20, a copy of which is attached hereto as Exhibit A.
 - b. All restaurants and commercial Establishments may re-open effective May 18, 2020 at 8:00 a.m., EXCEPT the following which remain closed: bars, pubs, nightclubs, banquet halls, cocktail lounges, cabarets, and breweries (except for take-out or delivery); movie theaters, concert houses, auditoriums, playhouses, bowling alleys, arcades, and gyms, hotels and commercial lodging establishments (except as operated pursuant to County Order 09-20, as amended), pools and hot tubs (except as authorized in County Emergency Order 16-20, in single-family homes or at a townhouse duplex or villa), tattoo parlors and massage parlors.
 - c. As a condition of reopening, all Establishments shall comply with the requirements of section 2 of County Emergency Order 23-20, including all requirements set forth in the Handbook.
 - d. Pursuant to Section 1.d. of County Emergency Order 23-20, Establishments shall consent to the authorized entry of Town police and personnel onto the Establishment's property for the purpose of inspection for compliance with this Order, or any applicable Town, County, State, or national order.
 - e. Retail and commercial Establishments may reopen with an occupancy limit of fifty (50) percent of their building capacity and subject to all conditions in County Emergency Order 23-20.
 - f. In addition to the requirements listed above, barbershops, cosmetology salons, and cosmetology specialty salons shall adopt appropriate social distancing and precautionary measures outlined in the Department of Business and Professional Regulation at: www.myfloridalicense.com/emergency.

- g.** Restaurants may reopen for on-premises consumption, subject to all conditions in County Emergency Order 23-20, including no more than fifty (50) percent of their occupancy limit for indoor seating capacity, excluding employees. Restaurants in the Harding Avenue Business District may have outdoor/open air seating, and comply with all requirements of Outdoor Dining Areas attached to County Emergency Order 23-20 as Exhibit B, with a valid Town sidewalk café permit, but in no event may 100 percent aggregate seating capacity be exceeded. Whether indoor or outdoor, a social distance separation of at least six (6) feet must be maintained between parties, a seated party shall not exceed four (4) people (unless members of the same household which may include up to six (6) people), and bar counters shall remain closed to seating. All outdoor/open air seating and dining shall continue to adhere to requirements under the Americans with Disabilities Act (ADA), general life-safety standards, and any other requirements imposed by the Town Code and sidewalk café permit.
- h. Facial Coverings Required.** All persons working in or visiting an Establishment, shall wear a facial covering as required and defined by Miami-Dade County Emergency Orders 20-20 and 23-20, and Town of Surfside Emergency Measures No. 6 – Facial Coverings.
- i. Reporting and Closure Requirements.** As required by County Emergency Order 23-20, any Establishment that is faced with on-site infection shall immediately report the number of infected persons, time of infection, and proposed remediation plan to the Florida Department of Health. Any Establishment that has an on-site employee or contractor test positive shall close the Establishment for the period of time necessary to have all employees/contractors tested and for the Establishment to be deep-sanitized (as specified in the Handbook), or for fourteen (14) days from the date such employee or contractor was last onsite at such Establishment, whichever is shorter.

3. All prior emergency orders and measures remain in effect except to the extent modified by this Order. This Order supersedes and governs over any conflicting provisions contained in any prior order or emergency measures.

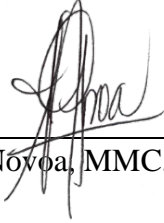
THE EMERGENCY MEASURES THAT HAVE BEEN ORDERED AND PROMULGATED ABOVE SHALL BE EFFECTIVE COMMENCING May 18, 2020 at 8:00 A.M., AND SHALL CONTINUE IN EFFECT FROM DAY-TO-DAY UNTIL THE STATE OF EMERGENCY ISSUED ON MARCH 12, 2020 IS DECLARED TO BE TERMINATED IN ACCORDANCE WITH SECTION 2-262 OF THE TOWN CODE. THIS EMERGENCY ORDER MAY BE CANCELLED EARLIER BY ACTION OF THE TOWN MANAGER.

TOWN OF SURFSIDE, FLORIDA



Guillermo Olmedillo, Town Manager

ATTEST:



Sandra Novoa, MMC, Town Clerk

Date: May 18, 2020

Time: 7 p.m.