



AMENDMENT NO. 1 TO ORDER NO. 20-11

**LOCAL EMERGENCY MEASURES IMPLEMENTED BY THE CITY MANAGER
OF THE CITY OF MIAMI, FLORIDA**

WHEREAS, under the provisions of law and Sections 252.31 - 252.60, Florida Statutes, Mayor Francis X. Suarez of the City of Miami declared on March 12, 2020 that a State of Local Emergency exists within the City of Miami, Miami-Dade County, Florida in response to the Novel Coronavirus ("COVID-19"); and

WHEREAS, on March 17, 2020, March 24, 2020, March 31, 2020, April 7, 2020, and April 14, 2020, April 28, 2020, May 5, 2020, May 12, 2020, and May 19, 2020, in accordance with the provisions of Section 252.38(3)(a), Florida Statutes, City of Miami Mayor Francis X. Suarez declared extensions to the State of Local Emergency in response to COVID-19 in and for the City of Miami, Florida; and

WHEREAS, the effects of COVID-19 continue to require extraordinary and immediate actions by the City of Miami in order to protect the public's health, safety, and welfare; and

WHEREAS, Executive Order 20-52, Section (4)(D)(1) provides that each municipality in the State of Florida is authorized to waive the procedures and formalities otherwise required of the political subdivision by law pertaining to the taking of whatever prudent action is necessary to ensure the public's health, safety, and welfare; and

WHEREAS, COVID-19 is a natural emergency whose increasing effects are being felt within the City of Miami and that on account thereof, there is reason to believe that it is necessary to take whatever prudent action is necessary to ensure the health, safety, and welfare of the City of Miami; and

WHEREAS, as COVID-19 hospitalizations have stabilized and begun declining in South Florida, the City of Miami will be allowing for certain activities to resume under Phase 1 that do not pose a threat for transmission of the virus and intended to protect its residents; and

WHEREAS, it is necessary and appropriate to take action to ensure that COVID-19 does not continue to spread and that the residents and employees of the City remain safe and secure; and;

WHEREAS, the Governor, via Executive Order 20-122 has allowed Miami-Dade County to proceed to Phase 1 of the "Safe, Smart, Step by Step Plan for Florida's Recovery", subject to the limitations imposed in Executive Order 20-112 paragraphs two through six; and

WHEREAS, in accordance with Section 10 of Miami-Dade County Emergency Order 23-20, the City of Miami can impose more stringent standards within the City of Miami than are set forth in the County Emergency Order 23-20;

NOW, THEREFORE, I, Arthur Noriega V, City Manager of the City of Miami, County of Miami-Dade, State of Florida, acting under the authority granted to municipalities by Florida Statutes Sections 252.38, et seq., 501.160, and Executive Order Number 20-52 promulgated by Governor Ron DeSantis on March 9, 2020, and Executive Order 20-114, executed on May 8, 2020, extending Executive Order 20-52 an additional 60 days, as well as the authority granted to me by Section 4(g)(3) of the Charter of the City of Miami, Florida, as amended and by Chapter 8A-5 of the Miami Dade County Code, and in addition to the Local Emergency Measures I have previously ordered, hereby **ORDER** and promulgate the following additional Local Emergency Measures for the City of Miami **effective May 27, 2020 at 7:00 a.m.:**

1. Section I, E, of Emergency Measures Order 20-11 is hereby amendedⁱ and restated as follows:

E. Employee or Contractor Testing Positive for COVID-19

1. Any establishment that has an on-site employee or contractor who tests positive shall **CLOSE IMMEDIATELY** for the shorter of:

- a. The time needed for all staff who suffered an exposure to a positive COVID-19 individual during the period from 48 hours before symptoms onset until meeting the CDC criteria for discontinuing home isolation to be tested with negative results and isolated for a period of 7 days. The establishment must also be deep sanitized as specified in the OSHA Guidance on Preparing Workplaces for COVID-19 Handbook; or

- b. Fourteen (14) days from the date such employee or contractor was last onsite at such establishment.
- c. An "exposure" as referenced in this section shall be defined as close contact of less than six (6) feet from an individual who has tested positive for COVID-19.

2. Any establishment, including but not limited to restaurants, food service establishments, and personal grooming stores, that accepts reservations for service will record the reservation for contact tracing purposes.

- a. The establishment shall immediately notify all patrons who either had contact with an employee at least forty-eight (48) hours prior to the employee feeling any COVID-19 symptoms or had contact with the employee at least forty-eight (48) hours prior to the employee being tested for COVID-19, whichever time period is greater.
- b. All such establishments shall further regulate their waiting areas as follows:
 - i. Customers must wait outside of the establishment practicing social distancing or in their cars until they are called for their appointment.
 - ii. A paging system or similar mechanism shall be utilized so that customers do not congregate outside of or around the establishment.
 - iii. It shall be the responsibility of the establishment to ensure that waiting customers do not congregate outside of or around the establishment.

2. Section I, G, of Emergency Measures Order 20-11 is hereby amendedⁱⁱ and restated as follows:

G. Restaurants and Other Food Services Establishments; prohibitions.

1. Restaurants and other food service establishments as defined herein (including restaurants within hotels and other private buildings) may reopen to the public for in-person dining services and service at outdoor areas effective **5:00a.m. on May 27, 2020**, subject to compliance with the requirements of Miami-Dade County Emergency Order 23-20, as amended, and Section I, E, above.

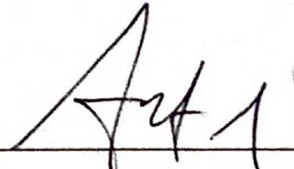
~~2. Commencing on the effective date of this Order through May 27, 2020, restaurants and other food services establishments located in the City of Miami shall continue to be limited to offer food services as promulgated in the City of Miami's Emergency Measure Order 20-04. Reserved.~~

3. For purposes of this order, the terms "restaurant" or "food service establishment" shall not include alcohol service establishments, bars, taverns, pubs, night clubs, banquet halls, cocktail lounges, cabarets, and breweries (collectively, "Alcohol Service Establishments"). "Restaurants" and "food service establishments" shall mean only those establishments whose primary use under non-emergency conditions is the preparation of food for consumption on or off the premises and shall have a valid City of Miami Certificate of Use for "restaurant" or "food service

2. Any establishment, including but not limited to restaurants, food service establishments, and personal grooming stores, that accepts reservations for service will record the reservation for contact tracing purposes. Whenever an establishment becomes aware that an employee has tested positive for COVID-19 they shall:

- a. Immediately notify the Florida Department of Health of all known patrons who either had contact with an employee at least forty-eight (48) hours prior to the employee feeling any COVID-19 symptoms or had contact with the employee at least forty-eight (48) hours prior to the employee being tested for COVID-19, whichever time period is greater. The establishment is also encouraged to contact their patrons to advise of the exposure and follow CDC guidelines for contact tracing notifications. The establishment shall immediately notify all patrons who either had contact with an employee at least forty-eight (48) hours prior to the employee feeling any COVID-19 symptoms or had contact with the employee at least forty-eight (48) hours prior to the employee being tested for COVID-19, whichever time period is greater.
- b. All such establishments shall further regulate their waiting areas as follows:
 - i. Customers must wait outside of the establishment practicing social distancing or in their cars until they are called for their appointment.
 - ii. A paging system or similar mechanism shall be utilized so that customers do not congregate outside of or around the establishment.
 - iii. It shall be the responsibility of the establishment to ensure that waiting customers do not congregate outside of or around the establishment.

The above Local Emergency Measures shall take effect on **May 27, 2020 at 5:00 a.m.** All requirements of this Local Emergency Measure, Miami-Dade County Emergency Orders, and State of Florida Executive Orders shall be strictly adhered to at all times and enforceable pursuant to Florida Statutes and the Code of the City of Miami.



Arthur Noriega V, City Manager
City of Miami, Florida

Date: May 26, 2020

Time: 9:00 PM

¹ Words and/or figures ~~stricken~~ through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged.