



AMENDMENT NO. 1 TO MIAMI-DADE COUNTY EMERGENCY ORDER 16-20

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 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, a State of Emergency was declared 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

WHEREAS, Adult Day Cares, as defined in section 429.901, Florida statutes, are locations where elderly residents interact for long periods of time; and

WHEREAS, minimization of contact is necessary to avoid risk of COVID-19 infection for the elderly community in Miami-Dade County; and

WHEREAS, the closure of Adult Day Cares is necessary in order to protect the public health, safety, and welfare; and

WHEREAS, Emergency Order 16-20, effective as of April 3, 2020 closed Adult Day Care centers throughout Miami-Dade County; and

WHEREAS provision of in-home services by existing providers does not pose the same health risks as the group provision of services,

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

1. Paragraph 1 of Emergency Order 16-20 is hereby amended and restated as follows:


Miami-Dade County Declaration of Local State of Emergency

Adult Day Cares within the unincorporated and incorporated areas of the County are hereby ordered to close, or otherwise cease all programs to deliver personal services to the elderly, effective April 3, 2020 at 11:59 p.m. Notwithstanding, staff employed at such sites may continue business operations which do not involve the delivery of personal services to the elderly population. This order does not apply to Assisted Living Facilities as defined under section 429.02, Florida Statutes, or Nursing Homes as defined in section 400.021, Florida Statutes. >>Notwithstanding and prevailing over anything in this order to the contrary, providers may offer basic, supportive and optional services, as defined in section 429.901, Florida Statutes, to persons at that person's residence, if provision of such services is otherwise authorized by law.<<

2. 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.

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

Enacted:

Signed: 
COUNTY MAYOR

Date: 4/4/2020 Time: 12:25

Witness: Rouder P. Jimenez

Cancelled:

Signed: 
COUNTY MAYOR

Date: 9/26/2020 Time: 19:45

Witness: Rouder P. Jimenez