



AMENDMENT NO. 4 TO MIAMI-DADE COUNTY EMERGENCY ORDER 27-20

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 No. 20-51, directing the State Health Officer and Surgeon General to declare a Public Health Emergency due to the discovery of coronavirus disease 2019 (COVID-19) in Florida; and

WHEREAS, on March 9, 2020, the Governor of Florida issued Executive Order No. 20-52, declaring a State of Emergency for the State of Florida related to COVID-19; and

WHEREAS, on March 12, 2020, the County Mayor declared a Local State of Emergency for all of Miami-Dade County related to COVID-19; and

WHEREAS, subsections (e) and (o) of section 8B-7(2) of the Code of Miami-Dade County, Florida, authorize the County Mayor to issue a curfew and to limit the movement of persons inside Miami-Dade County at essential establishments in order to safeguard life and health; and

WHEREAS, as COVID-19 cases rose throughout the summer, testing data and contact tracing indicated that young people were a key driver of infections in the County and were often the ones who introduced COVID-19 into a household; and

WHEREAS, young adults congregating indoors at restaurants, clubs, and at-home parties often become lax in observing social distancing and mask usage, especially if inebriated, making such parties among young people a unique driver of the spread of COVID-19; and

WHEREAS, drinking and eating are often used as an excuse to sidestep mask requirements, and prolonged periods indoors while unmasked raises the risk of exposure to COVID-19;

WHEREAS, these parties typically occur late at night; and

WHEREAS, the purpose of the curfew is to discourage individuals from hosting or attending parties and party-like large indoor gatherings late at night where the lack of mask usage, social distancing, and proper hygiene raise the risk of COVID-19 exposure; and

WHEREAS, the minimally necessary exceptions to the curfew pose less risk for the spread of COVID-19, involve essential business activity occurring during the curfew period characterized

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by the majority of people performing life-sustaining tasks, and allow business which typically do not involve individuals becoming inebriated; and

WHEREAS, the impact of persons partying late at night is felt elsewhere in the community, as young adults transmit infections picked up at such parties to their children, parents, and grandparents; and

WHEREAS, on December 24 and New Year's Eve, while people remain out after midnight, many of these people are in small gatherings of ten or less with family or close friends, and are not attending large indoor parties with numerous persons from outside their household; and

WHEREAS, persons attending small gatherings with friends and family are more likely to observe social distancing, are more likely to congregate outside, and are less likely to be inebriated than are young adults congregating indoors at bars, clubs, and restaurants; and

WHEREAS, such activity, occurring for an extra hour on two nights, creates less cumulative risk of transmission than does allowing unfettered late night indoor gatherings night after night; and

WHEREAS, the County continues to urge residents to avoid large indoor gatherings, to seek to limit gatherings to ten people or less, and to avoid congregating with those who are most at risk if infected with COVID-19, including the elderly and persons with underlying medical conditions; and

WHEREAS, the Code of Miami-Dade County grants the Mayor the authority to impose a curfew while there is a Declaration of a Local State of Emergency in effect; and

WHEREAS, this amendment, solely for December 24 and New Year's Eve, sets the time the curfew begins to 1:00 a.m. rather than 12:00 a.m.; and

WHEREAS, a curfew remains necessary to safeguard life and health, as indoor parties and gatherings late at night have the potential to spread COVID-19; and

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

A. Emergency Order 27-20 is hereby amended and restated as follows:

1. Commencing on September 14, 2020, a curfew is hereby imposed for all of Miami-Dade County, including incorporated and unincorporated areas, effective from 12:00 a.m. each night through 6:00 a.m. the next morning, until cancelled or revised. During the period of such curfew, no person shall make use of any street or sidewalk for any purpose, except police, fire rescue, first responder, medical, health care, media, and utility repair service personnel. In addition, the curfew shall not apply to persons:

- a. Working at essential establishments listed in attached exhibit A;
- b. Returning directly to their homes from work at essential establishments or going directly to work at essential establishments from their homes;
- c. Making deliveries from essential establishments;

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- d. Walking their dogs within 250 feet of their residences; and
- e. Traveling to and from any sporting event sponsored by the NCAA, Major League Baseball, or the National Football League, or any other national professional sports league or organization.
- f. Traveling to or from any religious service.

2. The curfew shall not be in effect from 11:59 p.m., December 24, through 1:00 a.m. December 25, and from 11:59 p.m., December 31, through 1:00 a.m. January 1, 2021.

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

4. This order does not affect or limit the operations of Miami-Dade County, any public utility, any municipality, the Miami-Dade County School District, or any State or Federal office or facility, except that such entities shall abide by the restrictions of any County, Municipal, State or Federal emergency order, as applicable.

B. All other provisions of Emergency Order 27-20, as amended, shall remain in full force and effect.

C. 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: *Daniella Lemme Carr*

COUNTY MAYOR

Date: 12/21/20 Time: 9:15 AM

Witness: *Jahanna Cerme*

Cancelled:

Signed: _____

COUNTY MAYOR

Date: _____ Time: ____:____

Witness: _____

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EXHIBIT A

Essential establishments are:

- a. Healthcare providers, including, but not limited to, hospitals, doctors' and dentists' offices, urgent care centers, clinics, rehabilitation facilities, physical therapists, mental health professionals, psychiatrists, therapists, and pharmacies;
- b. Grocery stores, farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This authorization includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operations of residences;
- c. Food cultivation, including farming, livestock, and fishing;
- d. Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- e. Newspapers, television, radio, and other media services;
- f. Gas stations; new and used automobile dealerships; and auto-supply, auto-repair, and related facilities;
- g. Banks and related financial institutions;
- h. Hardware stores;
- i. Contractors and other tradesmen, appliance repair personnel, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and other structures;
- j. Businesses providing mailing and shipping services, including post office boxes;
- k. Private colleges, trade schools, and technical colleges, but only as needed to facilitate online or distance learning, and university, college, or technical college residence halls;
- l. Laundromats, dry cleaners, and laundry service providers;
- m. Restaurants and other facilities that prepare and serve food.
- n. Businesses that supply office products needed for people to work from home;

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- o. Businesses that supply other essential businesses with the support or supplies necessary to operate, and which do not interact with the general public;
- p. Businesses that ship or deliver groceries, food, goods, or services directly to residences;
- q. Airlines, taxis, and other private transportation providers providing transportation services via automobile, truck, bus, or train;
- r. Home-based care for seniors, adults, or children;
- s. Assisted living facilities, nursing homes, and adult day care centers, and senior residential facilities;
- t. Professional services, such as legal or accounting services;
- u. Landscape and pool care businesses, including residential landscape and pool care services;
- v. Childcare facilities providing services that enable essential establishment employees to work as permitted.
- w. Businesses operating at any airport, seaport, or other government facility, including parks and government offices;
- x. Pet supply stores;
- y. Logistics providers, including warehouses, trucking, consolidators, fumigators, and handlers;
- z. Telecommunications providers, including sales of computer or telecommunications devices and the provision of home telecommunications;
- aa. Provision of propane or natural gas;
- bb. Office space and administrative support necessary to perform any of the above-listed activities;
- cc. Open construction sites, irrespective of the type of building;
- dd. Architectural, engineering, or land surveying services;
- ee. Factories, manufacturing facilities, bottling plants, or other industrial uses;
- ff. Waste management services, including collection and disposal of waste;

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- gg. Any business that is interacting with customers solely through electronic or telephonic means, and delivering products via mailing, shipping, or delivery services;
- hh. Marinas and boat launches, docking, fueling, marine supply and other marina services;
- ii. Hotels, motels, other commercial lodging establishments and temporary vacation rentals;
- jj. Veterinarians and pet boarding facilities;
- kk. Mortuaries, funeral homes, and cemeteries;
- ll. Stores selling alcoholic beverages;
- mm. Firearm and ammunition supply stores; and
- nn. Businesses providing services to any local, state, or Federal government, including municipalities, pursuant to a contract with such government.
- oo. Persons working at any stadium or other venue, in any capacity, which is hosting games sponsored by the NCAA, Major League Baseball, the National Football League, or any other national professional sports league or organization.
- pp. Persons providing religious services, in any capacity.