



VILLAGE OF PALMETTO BAY

EMERGENCY ORDER NO. **05-20**

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 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 13, 2020, the Village Manager and Mayor declared an Emergency for the Village of Palmetto Bay, which has been extended every seven-day period as required by law and which is currently in effect; and

WHEREAS, on April 27, 2020, the Miami-Dade County Mayor issued Emergency Order 21-20 reopening parks and recreational facilities in incorporated and unincorporated areas of Miami-Dade County under limited circumstances as defined in such order to become effective on April 29, 2020 at 6:00 am; and

WHEREAS, on April 28, 2020, the Village Manager issued Emergency Order 02-20 keeping all parks and recreational facilities in the Village of Palmetto Bay closed as of April 29, 2020 at 6:00 am (EST); and

WHEREAS, on May 18, 2020, the Village Manager issued Emergency Order 03-20 allowing Coral Reef Park and Palmetto Bay Park to be open, under limited circumstances; and

WHEREAS, COVID-19 virus poses a health risk to Village of Palmetto Bay 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 Village of Palmetto Bay; and

WHEREAS, the Center for Disease Control (CDC) has issued guidance encouraging social distancing and maintaining a 6' foot separation between residents to slow the spread of infection and the events with more than ten attendees 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, it is important for the physical and mental health of the community that outdoor recreation be allowed to the extent that it is safe to do so following County guidelines, which have been developed in consultation with medical experts, industry experts and other municipalities throughout the county.

WHEREAS, medical experts and epidemiologists at the University of Miami, Florida International University, and Jackson Health System have provided recommendations to the County indicating that wearing of masks and other facial coverings is an effective method of reducing the spread of COVID-19 throughout the community; and

WHEREAS, COVID-19 cases have recently spread rapidly in Miami-Dade County; and

WHEREAS, currently, since March, nearly 40,000 County residents have tested positive for COVID-19, and 1,000 have died of the disease; and

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 hereby order the following:

1. Effective as of 9:00 am on Thursday, July 2, 2020, Emergency Order 05-20 is amended as follows:
2. Defined terms:

As used herein;

- the term "facial covering" shall refer to a facial covering as described in Miami-Dade County Emergency Order 20-20; <https://www.miamidade.gov/information/library/04.09.20-emergency-order-20-20.pdf>;
- the term "family" shall mean an individual and spouse, domestic partner, parents, children, or legal guardians who reside in the same household, and inclusive of children whose custody is shared between two parents in different households;
- "parks" shall mean parks and recreational facilities but shall not include beaches, and the term "social distancing" shall mean a minimum of six feet distance between persons;
- Social distancing, where required herein, shall not apply to family members residing in the same dwelling solely with respect to other such family members.

3. If the CDC issues guidelines that are more restrictive than is provided for in this Order, persons shall comply with the CDC guidelines.

4. Effective as of 9:00 am on Thursday, July 2, 2020, Coral Reef Park, Palmetto Bay Park, Perrine Wayside “Dog Park”, Ludovici Park, and Thalatta Estate will open, under the limited circumstances set forth herein:
- Park hours at Coral Reef Park and Palmetto Bay Park will be from 7:00 AM until 8:00 PM, Monday through Sunday.
 - Perrine Wayside “Dog Park” will be open 8:00 am to Sundown, Monday through Sunday, except for the 2nd and 4th Tuesday of the month when park will open at 12 Noon, due to maintenance. All dogs must remain leashed in all areas of the park.
 - Ludovici Park will be open consistent with County Library hours to accommodate for Library use.
 - Thalatta Estate will open 8:00 am to 5:00 pm, Sunday through Thursday and 9:00 am through 2:00 pm, Friday through Saturday.
 - Visitors are encouraged to use the park for 1- or 2-hour intervals.
 - Vehicle parking capacity in all parks shall be reduced by no less than twenty-five percent (25%).
- All persons throughout Miami-Dade County shall wear a mask or other facial covering when in public, except as set forth below.
 - Masks and other facial coverings shall not be required:
 - i) at or inside a private residence;
 - ii) inside a private automobile;
 - iii) at or inside any religious institution, without limitation;
 - iv) inside a hotel, motel, or commercial lodging establishment guest room, or inside any apartment;
 - v) of children under the age of two years;
 - vi) of persons who cannot wear a mask or facial covering due to an existing medical condition;
 - vii) of an individual who is hearing impaired or an individual who is communicating with an individual who is hearing impaired;
 - viii) where federal or state safety or health regulations prohibit the wearing of facial coverings;
 - ix) of persons actively engaged in strenuous physical activity, either inside or outdoors;
 - x) of persons swimming or engaged in other activities which may cause the facial covering to become wet;
 - xi) while persons are actively eating, drinking, or smoking; and
 - xii) while a person is receiving services which require access to that person’s nose or mouth.
 - A mask or other facial covering shall comply with the recommendations of the CDC, as such recommendations may change from time to time. The current CDC guidelines recommend wearing a mask or facial covering which snugly covers the face and mouth, whether store bought or homemade, which is secured with ties or ear loops, include multiple layers of fabric, allow for breathing without restriction, and which is able to be laundered and machine dried without damage or losing shape. Examples of compliant homemade masks

and other facial coverings may be found at: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>. Persons should not utilize N95 rated masks, as those are critical supplies for health care workers, police, fire, emergency management, or other persons engaged in life/safety activities. Persons wearing facial coverings should review the CDC and Florida Department of Health guidelines regarding safely applying, removing, and cleaning such coverings, which are found at: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-to-wear-cloth-face-coverings.html>

- Park Staff shall take extra measures to keep open facilities clean and sanitized in accordance with CDC and the Florida State Health Department guidelines.
- No groups of 10 or more shall congregate in parks or recreational facilities. All persons, excepting family, shall observe social distancing of six-feet apart, both within groups and with others.
- Walking and Nature Paths shall be one-way (directional) flow only, except where the existing configurations does not allow such flow.
- To ensure that social distancing is maintained and to ensure access to facilities by patrons, parks staff may limit the number of persons using trails, paths, or fields, and may limit the time that any person spends on the trails, path or field.
- Activities at the parks shall be limited to a walking, jogging, cycling, skating, nature walk on trails, and sports skills practice and drills in groups of less than ten. Sports skills practice includes, but is not limited to, activities such as shooting a basketball, dribbling a soccer ball, solo racquetball, family members throwing a ball, or similar activities, and Summer Camps and Youth Sports/Programming if conducted in conformance with Miami Dade County Emergency Order 23-20, as amended, and the Moving to A New Normal Handbook incorporated into that order.
- Youth sports and programming that can be conducted in small groups (Total of not more than 10 athletes/participant and/ other personnel) for skills and drills only, and with adequate spacing (minimum of 1 person per 10 ft are allowed following the Miami Dade County Emergency Order 23-20, as amended, and the Moving to A New Normal Handbook incorporated into that order.
- Restrooms will be open for use by one person or one family at a time.
- Passive uses of the parks are allowed provided that social distancing is maintained, provided however, that table games, picnics and parties are prohibited.
- Visitors are encouraged to bring water bottles as water fountains will be out of service.
- Coral Reef Park canoe and kayak launch will be open.
- No pick-up games, scrimmages, organized or competitive play on courts and fields will be allowed, except for singles tennis and racquetball play may be allowed. In addition, competitive doubles play may be allowed in conformance with the Moving to A New Normal Handbook.
- The following amenities shall remain closed/ not allowed:
 - playgrounds and exercise equipment,
 - water fountains,
 - picnic shelters/pavilions/gazebo, and
 - all sports field lighting to remain off
- Virtual recreational programming shall continue to be provided online.

5. No person shall violate the terms of this Emergency Order, except upon direct authorization of the Village of Palmetto Bay Policing Unit. Any violation of this Emergency Order shall be subject to fine, imprisonment, or both in accordance with Section 14-88 of the Village Code.

This Emergency Order shall be effective **commencing July 2, 2020 at 7:00 AM (EST)**. This Emergency Order 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 2nd day of July, 2020 at 7:00 a.m. (EST).

DocuSigned by:
Gregory H. Truitt
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Gregory Truitt
Interim Village Manager

Attest:
DocuSigned by:
Missy Arocha
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Missy Arocha
Village Clerk