

**CITY OF CORAL GABLES**

**OFFICE OF THE MAYOR**

**TO:** CITY COMMISSION  
**FROM:** RAUL VALDES-FAULI  
MAYOR

**DATE:** May 16, 2020

**TIME:**

11:55 AM

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**CITY OF CORAL GABLES EMERGENCY ORDER ALLOWING FOR THE LIMITED RE-OPENING OF RESTAURANTS AND CERTAIN ESTABLISHMENTS WITH CONDITIONS**

**WHEREAS**, on March 12, 2020, I declared a state of emergency for the City of Coral Gables, Florida (the "City") as authorized by Section 252.38(3)(a), Florida Statutes, and Section 27-2(c)(6) of the City Code in response to the Novel Coronavirus Disease-2019 (COVID-19) (the "Declaration"); and

**WHEREAS**, on March 25, 2020, I issued the City of Coral Gables "Safer at Home" Emergency Order ("City Order"); and

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

**WHEREAS**, on April 29, 2020, the Governor issued Executive Order 20-112 setting forth the terms for the State's Phase 1 Recovery, which includes restaurants and retail establishments, but that order excluded Miami-Dade County, among others, except with regard to resuming elective medical procedures; and

**WHEREAS**, on May 9, 2020, the Governor issued Executive Order 20-120 expanding Phase 1 to include barbershops, cosmetology, and cosmetology special salons; and

**WHEREAS**, on May 14, 2020, the Governor issued Executive Order 20-122 to include Miami-Dade County in the Phase 1 Recovery, as expanded by Executive Order 20-120; and

**WHEREAS**, on May 14, 2020, the Governor issued Executive Order 20-123 establishing an indoor occupancy limit of fifty (50) percent of an establishment's seating capacity (excluding employees) for restaurants, retail establishments, museums, and gyms; and

**WHEREAS**, the Miami-Dade Mayor has issued a series of emergency orders, collectively known as the "Safer at Home" protocols pursuant to Emergency Order 12-20; and

**WHEREAS**, on May 15, 2020, based on the above-included Governor's Executive Orders, Miami-Dade County Mayor issued Emergency Order 23-20 allowing for the re-opening of restaurants and certain retail establishments with specific conditions, requiring certain measures if an employee tests positive, and expressly allowing for municipalities to impose more stringent standards;

**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.

**NOW, THEREFORE**, I, as Mayor of the City of Coral Gables, and pursuant to the authority granted to me by Section 252.38(3)(a), Florida Statutes, and Section 27-2(c)(6) of the City Code, in addition to previously ordered emergency measures declared by myself and the City Manager, hereby amend the City's "Safer at Home Order" as follows and allow for the reopening of restaurants and certain retail establishments with conditions:

1. State of Florida Executive Orders 20-112, 20-120, and 20-123 and Miami-Dade Emergency Order 23-20 are hereby incorporated by reference.
2. All persons residing within the City of Coral Gables continue to be urged to remain in their residences.
3. All gatherings of groups of people larger than ten (10) are not permitted to congregate in any public space, public street, alley, public way, sidewalk, or government facility open to the public that does not readily allow for appropriate physical distancing, in accordance with County Executive Order 10-20. This provision does not apply to gatherings within a single household or living unit.
4. Notwithstanding the provisions above, all residents, visitors, and/or establishments in the City may lawfully engage in the following activities:
  - a. **Permitted Retail and Commercial Activities and Establishments.**
    - i. Residents and visitors may engage in permitted retail and commercial activities, including travel to or from permitted retail and commercial establishments, as defined in Miami-Dade County Emergency Order 23-20 and (a copy of which is attached hereto).
    - ii. All restaurants and commercial establishments may re-open except: 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.
    - iii. By reopening, establishments consent to the entry of City personnel onto the establishment's property for the sole purpose of inspection for compliance with this order, or any applicable City, County, State, or national order.
    - iv. Retail and commercial establishments may reopen with an occupancy limit of fifty (50) percent of their building capacity and subject to all conditions in Miami-Dade County Emergency Order 23-20.
    - v. 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](http://www.myfloridalicense.com/emergency).
    - vi. Restaurants may reopen for on-premises consumption, subject to all conditions in Miami-Dade County Emergency Order 23-20 including no more than fifty (50) percent of their occupancy limit for indoor seating capacity, excluding employees. Restaurants may have outdoor seating, with a valid City permit, but in no event may one hundred (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.

1. **Outdoor/Open Air Dining.** The City Manager is granted authority to provide expanded opportunities in the right of way, private property, and city-owned properties by relaxing the requirements in Section 4-206(B)(4) and 5-119 of the Zoning Code relating to outdoor/open air dining, while continuing to adhere to requirements under the Americans with Disabilities Act (ADA) and general life-safety standards, to waive all applicable fees, and to expedite permitting. Any action related to this authority, taken by the City Commission after the date of this order, shall be incorporated herein by reference.
- b. **Museums and Libraries.** Museums and libraries may open at no more than fifty (50) percent of their building occupancy and any components that have interactive functions or exhibits remain closed.
- c. **Signage and Use.** The City Manager is granted authority to relax requirements related to signage set forth in the City Code and Zoning Code in order to provide expanded economic opportunity for affected establishments. In addition, the City Manager is granted the authority to relax applicable standards in the Zoning Code relating to uses on a temporary basis.
- d. **Facial Coverings Required.** All persons working in or visiting an establishment, shall wear a facial covering as required by Miami-Dade County Emergency Order 23-20. "Facial covering" is defined as "a covering which snugly covers the face and mouth, and which is secured with ties or ear loops" (Miami-Dade County Emergency Order 20-20). Children under the age of two (2), persons of who have trouble breathing, and those engaged in strenuous physical activity are exempt from this requirement. In addition, facial coverings are not required where Federal or state safety regulations prohibit the wearing of the same.
- e. **Reporting and Closure Requirements.** As required by Miami-Dade 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/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, or for fourteen (14) days from the date such employee/contractor was last onsite, whichever is shorter.
- f. **Outdoor Recreational Activities.** Residents may continue to engage in outdoor activity and recreation in areas not otherwise closed to the public pursuant to Miami-Dade County Emergency Orders or the City's emergency measures, including, without limitation, walking, hiking, running, or cycling. While engaged in such activities, individuals are urged to maintain a distance of at least six (6) feet between each other and must comply with Miami-Dade County Emergency Order 10-20, which prohibits groups of ten (10) or more individuals from gathering on a public street, alley, public way, sidewalk, or government facility open to the public in the City, and Miami-Dade County Emergency Order 20-21, which opens parks, golf courses, marinas and boat ramps with certain restrictions.
  - i. **Golf, Tennis and Parks.** The City's golf courses, tennis facilities, and certain parks are open for limited use.:
    1. **Parks.** All standards and requirements that apply to parks under the County Order shall apply to any City park that re-opens. In addition, the conditions listed below shall apply:
      - a. City parks that re-open may have reduced hours of operation;
      - b. Certain City parks may offer "Senior Exclusive Hours" on specific days;
      - c. All basketball courts shall remain closed;

- d. No "sports skills practice," as described in the County Order, shall be allowed; and
  - e. Use of all water fountains shall be prohibited.
2. **Golf Courses and Tennis Facilities.** All standards and requirements that apply to golf courses and tennis facilities under the County Order shall apply to any golf course and tennis facility in the City that re-opens. In addition, the conditions listed below shall apply:
- a. City-operated golf courses and tennis facilities may have reduced hours of operation;
  - b. Certain City-operated golf courses and tennis facilities may offer "Senior Exclusive Hours" on specific days;
  - c. At Granada Golf Course, the pro-shop shall only be open to take payment for play and for limited transactions, such as the sale of prepacked goods;
  - d. At Granada Golf Course and City-operated tennis facilities, play is by reservation only;
  - e. At Granada Golf Course, all practice areas shall remain closed (specifically practice greens and chipping areas); and
  - f. Use of all water fountains shall be prohibited.
- g. **Religious Activities.** Residents may travel to and from religious institutions and places of worship, as long as the religious institutions and places of worship reduce their occupancy to no more than 50 percent of their building occupancy, enforce a distance separation of at least six (6) feet to promote social distancing (except between members of the same household), and comply with all CDC safety guidelines, as required of the permitted retail and commercial establishments listed above.
- h. **Personal Support Activities.** Residents may travel to and from their homes to care for or support a friend, family member, or pet in another household.
- i. **Work in Support of Permitted Establishments.** Residents, visitors, and those who work in the City may continue to perform work in support of permitted retail, commercial, religious activities and establishments, and in support of museums and libraries, provided persons engaging in these activities shall maintain reasonable social distancing practices.
- j. **Government Employees and Emergency Personnel.** All first responders, gang and crisis intervention workers, public health workers, emergency management personnel, emergency dispatchers, law enforcement personnel and related contractors, persons working for emergency service providers, and government employees performing work in the course and scope of their employment are categorically exempt from this order.
- k. **Observance of Social Distancing Practices.** As to all activities permitted under this Order, residents and visitors shall adhere to social distancing practices, washing hands with soap and water for at least twenty (20) seconds or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands. Residents and visitors are strongly encouraged to limit all of their travel, except as absolutely necessary. Persons at high-risk of severe illness from COVID-19 and people who are sick are strongly urged to stay in their residence, except as necessary to seek medical care.
5. **Enforcement.** This Order is in addition to and supplements the City's emergency measures and directives and any and all actions taken by the City Manager in accordance with the Manager's authority. All requirements of the City's Code and emergency orders and directives (as amended), Miami-Dade County Emergency Orders, and State of Florida Executive Orders shall be strictly adhered to at all times. Violations of this order, or any applicable order, by individuals may be enforced with the following enforcement procedures:

1. Verbal warning.
2. Written warning.
3. Code Enforcement citation of \$100.
4. Arrest.

*Nothing herein shall be interpreted to require that law enforcement follow these procedures prior to conducting an arrest where otherwise warranted.*

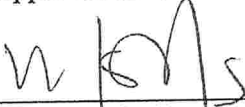
Businesses that operate in violation of this order, or any applicable order, are additionally subject to the following enforcement procedures detailed in City of Coral Gables Ordinance 2020-09:

1. Verbal warning.
2. Written warning.
3. Revocation of Certificate of Use.

**THE EMERGENCY MEASURES THAT HAVE BEEN DIRECTED AND ORDERED ABOVE SHALL BE EFFECTIVE MAY 18, 2020 AT 12:01 A.M. EXCEPT FOR THE MEASURES RELATING TO THE REOPENING OF RESTAURANTS WHICH SHALL BE EFFECTIVE MAY 20, 2020 AT 12:01 A.M., UNTIL RESCINDED BY THE MAYOR.**

C: City Manager  
City Attorney  
City Clerk  
ACM  
Directors

Approved as to form & legal sufficiency:

  
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Miriam Soler Ramos, City Attorney