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RESOLUTION NO. 2020-17

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, RATIFYING THE MARCH 16, 2020 VILLAGE OF BISCAYNE PARK DECLARATION OF STATE OF EMERGENCY (MARCH 16 TO APRIL 15, 2020) AND APRIL 15, 2020¹ EXTENSION THEREOF (APRIL 16 TO APRIL 30, 2020); THE VILLAGE'S "SAFER AT HOME" ORDER; AND PEDESTRIAN CURFEW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, on December 4, 2012, the Commission of the Village of Biscayne Park passed and adopted Resolution No. 2012-43, adopting the Village's Comprehensive Emergency Management Plan (the "Village CEMP"); and

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and other potential methods, and presents symptoms similar to those of influenza; and

WHEREAS, in December of 2019, a new and substantial outbreak of COVID-19 emerged in Wuhan, China, and has since spread rapidly to 150 countries and territories throughout the World, including the United States, and more specifically Lee County and 30 other counties in the State of Florida; and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared COVID-19 a pandemic; and

WHEREAS, President Trump issued a Proclamation Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) is predicting that widespread transmission of COVID-19 will occur in the United States; and

WHEREAS, no vaccine or drug is currently available to cure or combat COVID-19; and

WHEREAS, the CDC has issued guidelines for "community mitigation strategies" to limit the spread of COVID-19, including recommendations for social distancing, which has proven to be an effective method for containing COVID-19; and

WHEREAS, on March 9, 2020, the Governor of Florida issued Executive Order 20-52, declaring a State of Emergency for the State of Florida, including Miami-Dade County, and authorizing the Florida Department of Health to issue a Public Health Emergency as a result of the spread of the dangerous and highly contagious COVID-19 virus (the "Virus"); and

1 **WHEREAS**, on April 15, 2020, the Village Mayor extended the declaration of a Village-wide
2 State of Emergency for the Village from April 15, 2020 at 12:00 pm to April 30, 2020 11:59 p.m. to ensure
3 the health, safety, and welfare of the community; and

4
5 **WHEREAS**, pursuant to the Governor of Florida’s Executive Orders No. 20-91 and 20-92, the
6 Declaration of a Village-wide State of Emergency and the Village’s adopted CEMP, the Village has issued
7 a “safer at home” Order and instituted a pedestrian curfew.

8
9 **NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF THE**
10 **VILLAGE OF BISCAYNE PARK, FLORIDA, THAT:**

11
12 **Section 1. Recitals.** The above recitals are true and correct, and incorporated herein by this
13 reference and are hereby adopted as the legislative and administrative findings of the Village Commission.

14
15 **Section 2. Ratification.** The Village Commission ratifies the Village-wide State of
16 Emergency Order, as extended by the Mayor until April 30, 2020 at 11:59 p.m.; the Village-wide “safer
17 at home” Order and pedestrian curfew.

18
19 **Section 3. Severability.** If any section, sentence, clause or phrase herein is held to be invalid
20 by any court of competent jurisdiction, then said holding shall in no way affect the validity of the
21 remaining portions of this Resolution.

22
23 **Section 4. Effective Date.** This Resolution shall become effective immediately upon its
24 adoption.

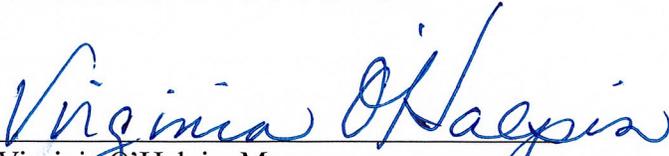
25
26 PASSED AND ADOPTED this 22nd day of April, 2020.

27
28 The foregoing Resolution was offered by Commissioner Samaria, who moved its adoption. The
29 motion was seconded by Vice-Mayor Tudor, and upon being put to a vote the vote was as follows:

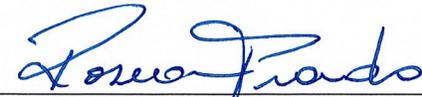
30		
31	Virginia O’Halpin, Mayor	Yes
32	William Tudor, Vice Mayor	Yes
33	Macdonald Kennedy, Commissioner	Yes
34	Roxanne Ross, Commissioner	Yes
35	Dan Samaria, Commissioner	Yes
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VILLAGE OF BISCAYNE PARK

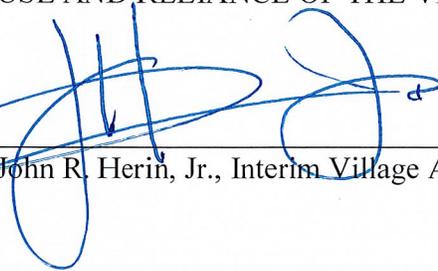
1 VILLAGE OF BISCAAYNE PARK

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6 Virginia O'Halpin, Mayor

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10 ATTEST:

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14
15 Roseann Prado, Village Clerk

16
17
18 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
19 USE AND RELIANCE OF THE VILLAGE OF BISCAAYNE PARK ONLY:

20
21 
22
23
24 John R. Herin, Jr., Interim Village Attorney



The Village of Biscayne Park

600 NE 114th St., Biscayne Park, FL 33161
Telephone: 305-899-8000 Facsimile: 305 891 7241

DECLARATION OF THE MAYOR OF THE VILLAGE OF BISCAYNE PARK DECLARING A LOCAL STATE OF EMERGENCY IN THE VILLAGE OF BISCAYNE PARK, FLORIDA

WHEREAS, on December 4, 2012, the Commission of the Village of Biscayne Park passed and adopted Resolution No. 2012-43, adopting the Village's Comprehensive Emergency Management Plan (the "Village CEMP"); and

WHEREAS, on March 09, 2020, Florida Governor Ron DeSantis issued Executive Order 20-52 (Attachment 'A'), declaring a State of Emergency for the State of Florida, including Miami-Dade County, and authorizing the Florida Department of Health to issue a Public Health Emergency as a result of the spread of the dangerous and highly contagious COVID-19 virus (the "virus"); and

WHEREAS, on March 12, 2020 Miami-Dade County, Mayor Carlos Gimenez , declared a county-wide Local State of Emergency in Miami-Dade County, Florida following the discovery of the virus; and

WHEREAS, Section 252.38(2), Florida Statutes, requires that each municipal emergency management plan be consistent with and subject to the applicable county emergency management plan; and

WHEREAS, the Village CEMP requires the Village's emergency activation be initiated once the Miami-Dade County has declared a county-wide state of emergency; and

WHEREAS, Section 252.38(3)(a)(5), Florida Statutes, provides authority for political subdivisions to declare a Local State of Emergency and to waive the procedures and formalities otherwise required of political subdivisions in order to take whatever action is necessary to ensure the health, safety, and welfare of the community; and



The Village of Biscayne Park

600 NE 114th St., Biscayne Park, FL 33161
Telephone: 305-899-8000 Facsimile: 305 891 7241

WHEREAS, the Village's CEMP authorizes the Village Mayor to declare a local state of emergency within the Village; and

WHEREAS, the Village Mayor deems it necessary to declare a Village-wide Local State of Emergency for the Village to ensure the health, safety, and welfare of the community; and

WHEREAS, it is the innate responsibility of the governing body of each political subdivision of the State of Florida to safeguard the health, safety and welfare of its residents; and

THEREFORE, as Village Mayor of the Village of Biscayne Park, Florida, I declare a Village-wide Local State of Emergency that will continue for an initial thirty (30) calendar days (the "Initial Term"), from Monday, March 16, 2020 at 12:00 p.m. to Wednesday, April 15, 2020 at 5:00 p.m. This Local State of Emergency may be extended in additional thirty (30) day increments, as deemed appropriate by the Village Mayor.

Enacted:

Virginia O'Halpin 3-16-2020 11:15 AM
Virginia O'Halpin DATE TIME
Mayor

Witness:

Roseann Prado
Roseann Prado, Village Clerk

Cancelled:

Virginia O'Halpin DATE TIME
Mayor

Witness:

Roseann Prado, Village Clerk

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 20-52

(Emergency Management - COVID-19 Public Health Emergency)

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, in late 2019, a new and significant outbreak of COVID-19 emerged in China; and

WHEREAS, the World Health Organization previously declared COVID-19 a Public Health Emergency of International Concern; and

WHEREAS, in response to the recent COVID-19 outbreak in China, Iran, Italy, Japan and South Korea, the Centers for Disease Control and Prevention (“CDC”) has deemed it necessary to prohibit or restrict non-essential travel to or from those countries; and

WHEREAS, on March 1, 2020, I issued Executive Order number 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and

WHEREAS, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

WHEREAS, on March 7, 2020, I directed the Director of the Division of Emergency Management to activate the State Emergency Operations Center to Level 2 to provide coordination and response to the COVID-19 emergency; and

WHEREAS, as of March 9, 2020, eight counties in Florida have positive cases for COVID-19, and COVID-19 poses a risk to the entire state of Florida; and

WHEREAS, the CDC currently recommends community preparedness and everyday prevention measures be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes with a tissue and disposal of the tissue immediately thereafter, washing hands often with soap and water for at least 20 seconds, using of alcohol-based hand sanitizers with 60%-95% alcohol if soap and water are not readily available and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and

WHEREAS, the CDC currently recommends mitigation measures for communities experiencing an outbreak including staying at home when sick, keeping away from others who are sick, limiting face-to-face contact with others as much as possible, consulting with your healthcare provider if individuals or members of a household are at high risk for COVID-19 complications, wearing a facemask if advised to do so by a healthcare provider or by a public health official, staying home when a household member is sick with respiratory disease symptoms if instructed to do so by public health officials or a health care provider; and

WHEREAS, as Governor, I am responsible for meeting the dangers presented to this state and its people by this emergency.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, Chapter 252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

Section 1. Because of the foregoing conditions, I declare a state of emergency exists in the State of Florida.

Section 2. I designate the Director of the Division of Emergency Management (“Director”) as the State Coordinating Officer for the duration of this emergency and direct him to execute the State’s Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency. Additionally, I designate the State Health Officer and Surgeon General as a Deputy State Coordinating Officer and State Incident Commander.

Pursuant to section 252.36(1)(a), Florida Statutes, I delegate to the State Coordinating Officer the authority to exercise those powers delineated in sections 252.36(5)-(10), Florida Statutes, which he shall exercise as needed to meet this emergency, subject to the limitations of section 252.33, Florida Statutes. In exercising the powers delegated by this Order, the State Coordinating Officer shall confer with the Governor to the fullest extent practicable. The State Coordinating Officer shall also have the authority to:

A. Seek direct assistance and enter into agreements with any and all agencies of the United States Government as may be needed to meet the emergency.

B. Designate additional Deputy State Coordinating Officers, as necessary.

C. Suspend the effect of any statute, rule, or order that would in any way prevent, hinder, or delay any mitigation, response, or recovery action necessary to cope with this emergency.

D. Enter orders as may be needed to implement any of the foregoing powers; however, the requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to any such orders issued by the State Coordinating Officer; however, no such order shall remain in effect beyond the expiration of this Executive Order, to include any extension.

Section 3. I order the Adjutant General to activate the Florida National Guard, as needed, to deal with this emergency.

Section 4. I find that the special duties and responsibilities resting upon some State, regional, and local agencies and other governmental bodies in responding to the emergency may require them to suspend the application of the statutes, rules, ordinances, and orders they administer. Therefore, I issue the following authorizations:

A. Pursuant to section 252.36(1)(a), Florida Statutes, the Executive Office of the Governor may suspend all statutes and rules affecting budgeting to the extent necessary to provide budget authority for state agencies to cope with this emergency. The requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to any such suspension issued by the Executive Office of the Governor; however, no such suspension shall remain in effect beyond the expiration of this Executive Order, to include any extension.

B. Each State agency may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of that agency, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency. This includes, but is not limited to, the authority to suspend any and all statutes, rules, ordinances, or orders which affect leasing, printing, purchasing, travel, and the condition of employment and the compensation of employees. For the purposes of this Executive Order, “necessary action in coping with the emergency” means any emergency mitigation, response, or recovery action: (1) prescribed in the State Comprehensive Emergency Management Plan (“CEMP”); or (2) ordered by the State Coordinating Officer. The requirements of sections 252.46 and 120.54, Florida Statutes, shall not apply to any such suspension issued by a State agency; however, no such suspension shall remain in effect beyond the expiration of this Executive Order, to include any extensions.

C. In accordance with section 465.0275, Florida Statutes, pharmacists may dispense up to a 30-day emergency prescription refill of maintenance medication to persons who reside in an area or county covered under this Executive Order and to emergency personnel who have been activated by their state and local agency but who do not reside in an area or county covered by this Executive Order.

D. In accordance with section 252.38, Florida Statutes, each political subdivision within the State of Florida may waive the procedures and formalities otherwise required of the political subdivision by law pertaining to:

1) Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;

2) Entering into contracts; however, political subdivisions are cautioned against entering into time and materials contracts without ceiling as defined by 2 CFR 200.318(j) or cost plus percentage contracts as defined by 2 CFR 200.323(d);

3) Incurring obligations;

4) Employment of permanent and temporary workers;

5) Utilization of volunteer workers;

6) Rental of equipment;

7) Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and,

8) Appropriation and expenditure of public funds.

E. All State agencies responsible for the use of State buildings and facilities may close such buildings and facilities in those portions of the State affected by this emergency, to the extent necessary to meet this emergency. I direct each State agency to report the closure of any State

building or facility to the Secretary of the Department of Management Services. Under the authority contained in section 252.36, Florida Statutes, I direct each County to report the closure of any building or facility operated or maintained by the County or any political subdivision therein to the Secretary of the Department of Management Services. Furthermore, I direct the Secretary of the Department of Management Services to:

- 1) Maintain an accurate and up-to-date list of all such closures; and,
- 2) Provide that list daily to the State Coordinating Officer.

Section 5. I find that the demands placed upon the funds appropriated to the agencies of the State of Florida and to local agencies are unreasonably great and the funds currently available may be inadequate to pay the costs of coping with this emergency. In accordance with section 252.37(2), Florida Statutes, I direct that sufficient funds be made available, as needed, by transferring and expending moneys appropriated for other purposes, moneys from unappropriated surplus funds, or from the Budget Stabilization Fund.

Section 6. All State agencies entering emergency final orders or other final actions in response to this emergency shall advise the State Coordinating Officer contemporaneously or as soon as practicable.

Section 7. Medical professionals and workers, social workers, and counselors with good and valid professional licenses issued by states other than the State of Florida may render such services in Florida during this emergency for persons affected by this emergency with the condition that such services be rendered to such persons free of charge, and with the further condition that such services be rendered under the auspices of the American Red Cross or the Florida Department of Health.

Section 8. All activities taken by the Director of the Division of Emergency Management and the State Health Officer and Surgeon General with respect to this emergency before the issuance of this Executive Order are ratified. This Executive Order shall expire sixty days from this date unless extended.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 9th day of March, 2020.



RON DESANTIS, GOVERNOR

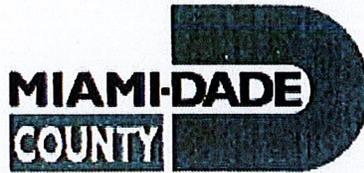
ATTEST:



SECRETARY OF STATE

FILED
2020 MAR -9 PM 5:52
TALLAHASSEE, FLORIDA

CFN 20200158237 OR PK 31848 Pas 2080-2083 4P55
RECORDED 03/12/2020 11:00:17
HARVEY RUVIN, CLERK OF COURT, MIAMI-DADE COUNTY, FLORIDA



LINDA L. CAVE, Deputy Clerk
Linda L. Cave
CLERK OF THE BOARD

2020 MAR 12 AM 8:51

CLERK OF THE BOARD
MIAMI-DADE COUNTY, FLA.

MIAMI-DADE COUNTY DECLARATION OF LOCAL STATE OF EMERGENCY

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 (7) 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, COVID-19/novel Coronavirus poses a health risk to Miami-Dade County residents, particularly elderly residents; and

WHEREAS, responding to the threat posed by COVID-19/novel Coronavirus may require extraordinary and immediate actions by Miami-Dade County in order to protect the public health, safety, and welfare,

THEREFORE, as County Mayor of Miami-Dade County, I hereby declare a State of Local Emergency, effective as of 9:00 AM March 12, 2020, that will continue for seven (7) days thereafter or if cancelled before that period of time. This Local State of Emergency includes all of Miami-Dade County.

Pursuant to this Declaration, further orders may be issued to protect the health, safety, and welfare of the community. Such orders may include, but are not limited to, orders related to the items listed in 1.a-p attached. The Deputy Mayors, through the Director of the Office of Emergency Management, are hereby ordered to take whatever prudent actions are necessary to effectuate such orders and to otherwise protect the health, safety, and welfare of the community.

Enacted:

Signed:

[Signature]
COUNTY MAYOR

Date: 3/11/2020 Time: 22:30

Witness:

[Signature]

A TRUE COPY
CERTIFICATION ON LAST PAGE
HARVEY RUVIN, CLERK

Miami-Dade County Declaration of Local State of Emergency

Cancelled:

Signed: _____

COUNTY MAYOR

Date: _____

Time: ____:____

Witness: _____

Miami-Dade County Declaration of Local State of Emergency

Action Options for State of Local Emergency

1. Executive Orders of the Mayor to include:
 - a) Employee Recall order: An order recalling Miami-Dade County employees from vacation, canceling days off, and mobilizing all personnel required for disaster response;
 - b) Authorizing the Internal Services Department to suspend normal leasing and bid procedures to procure space, structures or other items under their normal authority for disaster response determined necessary by the Director;
 - c) Authorizing procurement of supplies, equipment, and services without formal bidding procedures;
 - d) Evacuation Order: A mandatory order(s) directing the evacuation of appropriate area(s) of the County deemed to be in imminent danger from disaster;
 - e) Curfew: In the period before, or during and immediately after an event, an order imposing a general curfew applicable to the County as a whole, or to geographical area(s) of the County and during hours the Mayor deems necessary, and from time to time, to modify the hours the curfew will be in effect and what area(s) it applies to;
 - f) An order requiring any and all commercial establishments located in area(s) of imminent or actual danger to close and remain closed until further order;
 - g) An order requiring the closure of any or all bars, taverns, liquor stores, and other business establishments where alcoholic beverages are predominantly sold or otherwise dispensed; provided that with respect to those business establishments which are not primarily devoted to the sales of alcoholic beverages, and in which such alcoholic beverages may be removed or made secure from seizure by the public, the portions thereof utilized for the sale of items other than alcoholic beverages may, at the discretion of the Mayor, be allowed to remain open;
 - h) An order requiring the discontinuance of the sale, distribution or giving away of alcoholic beverages in any or all parts of Miami-Dade County;
 - i) An order requiring the discontinuance of the sale, distribution or giving away of gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly attached to a gas powered vehicle;

Miami-Dade County Declaration of Local State of Emergency

- j) Intentionally Omitted;
- k) An order closing to the public any or all public places including streets, alleys, public ways, schools, parks, beaches, amusement areas and public buildings;
- l) In addition to the provisions of Chapter 8A-5 of the Code of Miami-Dade County, orders to prevent price gouging for any essential commodity, dwelling unit, or storage facility;
- m) Orders requesting the conservation of water supplies;
- n) Such other orders as are immediately necessary for the protection of life and property; provided, however, that any such orders shall, at the earliest practicable time, be presented to the Board for ratification or confirmation in accordance with chapter 8B.
- o) The Mayor shall cause any proclamation ordered by the Mayor or the Board pursuant to the authority in this chapter to be delivered to all news media within the County, and shall utilize whatever available means to give public notice of such proclamation.
- p) The Mayor is hereby authorized to cancel any or all meetings of Miami-Dade County boards, authorities, agencies, instrumentalities and councils.

STATE OF FLORIDA, COUNTY OF MIAMI-DADE
I HEREBY CERTIFY that the foregoing is a true and correct copy of the original as the same appears in this office. *Made 12 AD 20 20*
HARVEY RAVAN, Clerk of Circuit and County Courts
Deputy Clerk *Andra Newman*
240370





**DECLARATION OF THE MAYOR OF THE
VILLAGE OF BISCAYNE PARK EXTENDING
THE DECLARATION OF A STATE OF
EMERGENCY IN THE VILLAGE OF BISCAYNE
PARK, FLORIDA**

WHEREAS, on December 4, 2012, the Commission of the Village of Biscayne Park passed and adopted Resolution No. 2012-43, adopting the Village's Comprehensive Emergency Management Plan (the "Village CEMP"); and

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and other potential methods, and presents symptoms similar to those of influenza; and

WHEREAS, in December of 2019, a new and substantial outbreak of COVID-19 emerged in Wuhan, China, and has since spread rapidly to 150 countries and territories throughout the World, including the United States, and more specifically Lee County and 30 other counties in the State of Florida; and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared COVID-19 a pandemic; and

WHEREAS, President Trump issued a Proclamation Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) is predicting that widespread transmission of COVID-19 will occur in the United States; and

WHEREAS, no vaccine or drug is currently available to cure or combat COVID-19; and

WHEREAS, the CDC has issued guidelines for "community mitigation strategies" to limit the spread of COVID-19, including recommendations for social distancing, which has proven to be an effective method for containing COVID-19; and

WHEREAS, on March 9, 2020, the Governor of Florida issued Executive Order 20-52, declaring a State of Emergency for the State of Florida, including Miami-Dade County, and authorizing the Florida Department of Health to issue a Public Health Emergency as a result of the spread of the dangerous and highly contagious COVID-19 virus (the "Virus"); and

WHEREAS, on March 12, 2020 Miami-Dade County Mayor Carlos Gimenez declared a county-wide Local State of Emergency in Miami-Dade County, Florida following the discovery of the Virus; and



The Village of Biscayne Park

600 NE 114th St., Biscayne Park, FL 33161
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WHEREAS, the President of the United States has extended the CDC's nationwide social distancing guidelines through the end of the month of April 2020; and

WHEREAS, the Governor of Florida issued Executive Orders No. 20-91 and 20-92 instituting a state-wide “safer at home” guidelines and ordering “all persons in Florida [to] limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities”; and

WHEREAS, “essential services” means and encompasses the list detailed by the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, v. 2 (March 28, 2020) and any subsequent lists published; and also include those businesses and activities designated by Executive Order 20-89 and a list propounded by Miami-Dade County in multiple orders; and

WHEREAS, on April 6, 2020 the Governor of Florida issued Executive Order Number 20-95 extending Executive Order Number 20-52 until April 30, 2020; and

WHEREAS, Section 252.38(2), *Florida Statutes*, requires that each municipal emergency management plan be consistent with and subject to the applicable county emergency management plan; and

WHEREAS, the Village CEMP requires the Village’s emergency activation be initiated once Miami-Dade County has declared a county-wide state of emergency; and

WHEREAS, Section 252.38(3)(a)(5) and Section 252.46, *Florida Statutes*, grants political subdivisions and municipalities of the state the authority to declare a State of Emergency and to waive the procedures and formalities otherwise required of political subdivisions in order to take whatever action is necessary to ensure the health, safety, and welfare of the community; and

WHEREAS, the Village CEMP authorizes the Village Mayor to declare a state of emergency within the Village; and

WHEREAS, it is the innate responsibility of the governing body of each political subdivision and municipality of the State of Florida to safeguard the health, safety and welfare of its residents; and

WHEREAS, pursuant to Sections 252.38 and 252.46, *Florida Statutes*; the Village Charter and the Village CEMP, the Mayor is empowered to take all prudent actions necessary to ensure the health, safety and welfare of the community; and



The Village of Biscayne Park

600 NE 114th St., Biscayne Park, FL 33161
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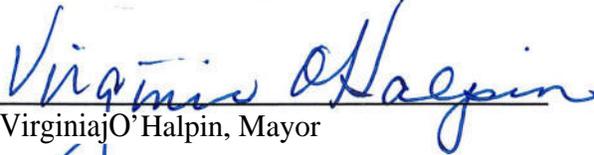
WHEREAS, pursuant to the authority granted by Chapter 252, *Florida Statutes*, and the Village CEMP, on March 16, 2020 the Mayor of the Village of Biscayne Park, Florida, declared a Village-wide State of Emergency from Monday, March 16, 2020 at 12:00 p.m. to Wednesday, April 15, 2020 at 5:00 p.m.; and

WHEREAS, the Village Mayor deems it necessary to extend the declaration of a Village-wide State of Emergency for the Village to ensure the health, safety, and welfare of the community.

NOW, THEREFORE, IT IS ORDERED:

1. The existing Village-wide State of Emergency is extended an additional fifteen (15) days from April 16, 2020 at 12:00 pm to April 30, 2020.

VILLAGE OF BISCAYNE PARK


Virginia O'Halpin, Mayor

ATTEST:


Roseann Prado, Village Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
USE AND RELIANCE OF THE VILLAGE OF BISCAYNE PARK ONLY:**


John R. Herin, Jr., Interim Village Attorney

This Declaration was filed in the Office of the Village Clerk on this 15th day of April 2020 [see, §252.46(2), Fla. Stat.] Is/ Roseann Prado, Village Clerk



VILLAGE OF BISCAYNE PARK

OFFICE OF THE MAYOR

DATE: March 27, 2020

VILLAGE OF BISCAYNE PARK “SAFER AT HOME” EMERGENCY ORDER

WHEREAS, on March 16, 2020, I declared a state of emergency for the village of Biscayne Park, Biscayne Park, Florida (the “Village”) as authorized by Chapter 252.38(3)(a), Florida Statutes in response to the Coronavirus Disease-2019 (COVID-19) (the Declaration”); and

WHEREAS, numerous countries, counties, municipalities, and multiple states, including municipalities in South Florida and Miami-Dade County have adopted versions of “**SAFER AT HOME**” orders designed to protect the health and well-being of residents, and to strongly urge social distancing in an effort to limit community spread of COVID-19; and

WHEREAS, the Office of the Governor of the State of Florida has directed in Executive Order 20-83 that the State Surgeon General and State health officer issued a public health advisory to all persons over 65 years of age, and person that have a serious underlying medical condition that places them at a high risk of severe illness from COVID-19, urging them to stay home and to take such other measures as necessary to limit their risk of exposure to COVID-19;

NOW, THEREFORE, pursuant to the Declaration and recent Miami-Dade Emergency Orders, including Emergency Orders 03-20 and 10-20, further orders may be issued to protect the health, safety and welfare of the residents of the Village of Biscayne Park. I, as Mayor of the Village of Biscayne Park and pursuant to the authority granted to me by Chapter 252.38(3)(a), Florida Statutes, and in addition to previously ordered emergency measures declared by myself and the Interim Village Manager, hereby direct and declare the following additional emergency measures, **effective immediately**. (the “Order”);

1. All persons residing with the Village Biscayne Park are strongly urged to remain in their residences subject to the exception’s outlines in Paragraph 4 below.
2. All public and private gatherings of any number of people occurring outside a residence are prohibited, except as to those exempted activities described in Paragraph 4. This provision does not apply to gatherings within a single household or living unit.
3. All travel, including, without limitations, travel on foot, bicycle, scooter, motorcycle, automobile, or use of public transit is restricted, subject to the exceptions in Paragraph 4.



The Village of Biscayne Park

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4. Exceptions. Notwithstanding the “Stay at home” order herein, all residents in the Village may lawfully engage in the following activities:
 - a. **Essential Retail and Commercial Activities.** Residents may engage in essential retail and commercial activities, including travel to or from essential retail and commercial business, as defined in Miami-Dade County Emergency Order 07-20, as may be further amended by Miami-Dade County and/or further amended by the Village. These essential retail and commercial activities include grocery stores; convenience stores; food distribution centers; restaurants (For take-out and delivery only, subject to social distance separation of at least six (6) feet between patrons); hospitals, pharmacies, and health care providers (including doctor’s offices, rehabilitation centers and urgent care centers); gas stations and auto-repair facilities; banks; hardware stores; businesses that provide postal/shipping services and other office products; laundry service providers; childcare facilities providing services to groups of 10 or fewer (subject to limitations in State, County or Village Emergency Orders); certain professional services; home-based care for seniors, adults or children; pet supply stores, veterinarian and pet boarding facilities; and offices in support of essential retail and commercial activities.
 - b. **Outdoor Recreational Activities.** Residents may 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, and are urged to maintain a distance of at least six (6) feet between each other, including without limitations, walking, hiking, running, or cycling and such activities are in compliance with Miami-Dade County Emergency Order 10-20 declaring that no group of 10 or more individuals shall gather on a public street, alley, public way, sidewalk, or government facility open to the public in the Village.
 - c. **Religious Activities.** Residents may travel to and from religious institutions and places of worship, as long as the religious institutions and places or worship reduce their occupancy to no more than ten (10) persons, and are urged maintain a distance separation of at least six (6) feet, to promote social distancing.
 - d. **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.



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- e. **Work in Support of Essential Activities.** Residents, visitors, and those who work in the Village or surrounding areas may continue to perform work in support of essential activities (e.g., to perform work providing essential products and services to otherwise carry out activities specifically permitted in this Order or any order of a City, County, State or Federal governmental entity). Travel by personnel of essential retail and commercial businesses shall be permitted, including personnel providing essential services to residents within their homes, such as repair services appliances repair, sanitation and extermination, landscaping and pool services, home care, housekeeping, childcare or other essential services (as provided in Miami-Dade County or Village Emergency Orders, as amended), provided persons engaging in these essential activities shall maintain reasonable social distancing practices.
 - f. **Government Employees and Emergency 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 directive.
 - g. **Observance of Social Distancing Practices.** As to all activities permitted under this Order, resident and visitors shall adhere to social distancing practices, washing hands with soap and water for at least twenty seconds or using hand sanitizer, covering coughs and 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. Nothing herein shall limit or apply to any essential retail, commercial, governmental, or other operation or activity permitted under any Miami-Dade County Emergency Order or any emergency measure, directive or order of the Village.
 6. This Order is in addition to and supplements the Village's emergency measures and directives and any all actions taken by the Village Manager in accordance with the Manager's authority. All requirements of the Village's Code and Emergency Orders, and State of Florida Executive Orders shall be strictly adhered to at all the times.



The Village of Biscayne Park

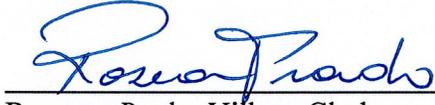
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THE EMERGENCY MEASURES THAT HAVE BEEN DIRECTED AND ORDERED ABOVE SHALL BE **EFFECTIVE IMMEDIATELY** UNTIL RESCINDED BY THE MAYOR.

VILLAGE OF BISCAYNE PARK


Virginia O'Halpin, Mayor

ATTEST:


Roseann Prado, Village Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
USE AND RELIANCE OF THE VILLAGE OF BISCAYNE PARK ONLY:



John R. Herin, Jr., Interim Village Attorney

cc: William Tudor, Vice-Mayor
MacDonald Kennedy, Commissioner
Roxanna Ross, Commissioner
Dan Samaria, Commissioner
David Hernandez, Interim Village Manager
Luis Cabrera, Chief of Police/Emergency Incident Commander
John R. Herin Jr., Interim Village Attorney
Roseann Prado, Village Clerk



The Village of Biscayne Park
Chief Luis E. Cabrera

600 NE 114th St., Biscayne Park, FL 33161
Telephone: 305-893-7490 Facsimile: 305 891 7241

BULLETIN

CORONAVIRUS DISEASE ALERT ED BURKE RECREATIONAL CENTER & PARK CLOSED IMMEDIATELY

BISCAYNE PARK CORONAVIRUS UPDATE

The Biscayne Park Interim Village Manager and the Chief of Police/Emergency Incident Commander have enacted two new initiatives to promote public health and safety and have announced a comprehensive communications plan to be used during the COVID-19 emergency declared on March 16, 2020, by Mayor Virginia O'Halpin.

RECREATIONAL CENTER & PARK CLOSED

The outdoor areas of the Ed Burke Recreational Center are officially closed beginning today, Thursday, March 19, 2020, until further notice. The Rec Center building had already been closed, and all events and after-school and sports programs had already been cancelled. The Rec Center is locked, and staff have installed signs to indicate that the outdoor areas are now also off-limits to visitors. Residents will be advised when the Rec Center and Park are reopened to the public.

PEDESTRIAN CURFEW

Biscayne Park has also implemented a pedestrian curfew from 10:00 pm. until 5:00 a.m. daily until further notice. The curfew will help ensure the safety and security of our residents, will deter crime, act as a proactive crime initiative, and encourage social distancing as a means of minimizing the spread of infection among village residents. Biscayne Park remains open to vehicular traffic during all hours.

EMERGENCY COMMUNICATIONS PLAN

Additionally, during this emergency Biscayne Park will implement a comprehensive communications plan that will consist of the following elements. Please note that the village website, www.biscayneparkfl.gov, will continue to be the main source of official village information.

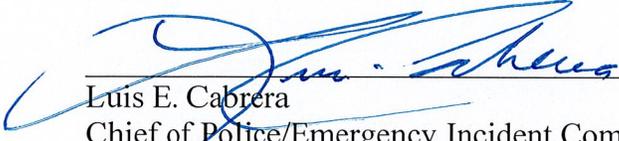
- **Email blasts:** Please enroll at <https://www.biscayneparkfl.gov/index.asp?SEC=EC840556-74EC-4FA6-8E04-AB496FA226A8&Type=QUICKFORM>
- **Mailers:** delivered directly to each residence
- **YouTube videos:** Look for announcements on the village website for each release
- **Media/press releases**



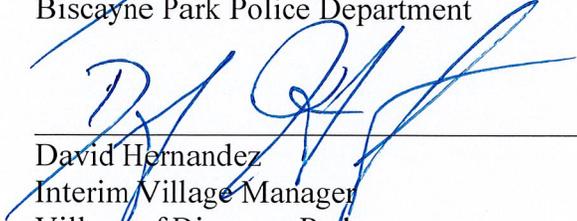
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- **Senior Wellness Checks:** If necessary, the police will conduct wellness checks on village seniors and those with underlying health issues. Wellness checks are conducted only on residents who voluntarily enroll with the village by calling 305.899.8000 from 9:00 am to 4:00 pm.



Luis E. Cabrera
Chief of Police/Emergency Incident Commander
Biscayne Park Police Department



David Hernandez
Interim Village Manager
Village of Biscayne Park