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City of Hialeah

TO: SERGIO VELAZQUEZ, CHIEF
HIALEAH POLICE DEPARTMENT

CC: MARBELYS FATJO, CITY CLERK

DATE: May 18th, 2020

TIME: 11:00 Am

FROM: MAYOR CARLOS HERNANDEZ

**EMERGENCY ORDER DELAYING PHASE I REOPENING OF NON-ESSENTIAL
BUSINESSES IN THE CITY OF HIALEAH, FLORIDA
(COVID-19-COH-EO-17 – CORRECTED TO REFLECT ACCURATE DATES OF STATE
AND COUNTY REOPENING ORDERS)**

WHEREAS, the State and County are, as is the entire country, grappling with the decision to reopen society and restart economic activity by lifting stay at home orders and closure orders; and

WHEREAS, on April 16, 2020, the President of the United States unveiled guidelines to Open Up America Again on a phased approach based upon specific criteria to evaluate the continuing risks posed by COVID-19 to aspects of social life which have been shut down; and

WHEREAS, the guidelines suggest that if within a 14-day period the number of new infections and positive tests of COVID19 and influenza-like or COVID19-like cases are on a downward trajectory, hospitals are treating all patients without crisis care and frontline health-care workers are able to get tested, then certain aspects of social life and the economy can be reopened on a phased approach subject to the availability of robust testing, observance of social distancing and healthcare system capacity; and

WHEREAS, executive officers, legislative bodies, and other public officials at all levels of government are engaging in similar analysis to best meet the needs of their respective constituent communities; and

WHEREAS, on April 29, 2020, Governor Ron DeSantis issued Executive Order 20-112 reopening non-essential services and lifting the stay-at home order across the State of Florida except Palm Beach, Broward and Miami-Dade Counties according to the Phase 1: Safe. Smart. Step-by-Step Plan for Florida's Recovery; and

WHEREAS, On May 14, 2020, Governor Ron DeSantis issued Executive Order 20-122 lifting the restrictions on Miami-Dade County and authorized the Phase 1 reopening of the County and further issued Executive Order 20-123 bringing all counties in the State under Phase 1 reopening as of May 18,

2020, subject to the operational guidelines and building occupancy restrictions set forth in those orders; and

WHEREAS, On May 14, 2020 Mayor Carlos Gimenez unveiled the County's New Normal Handbook setting forth comprehensive guidelines to be followed by residents and commercial establishments to help our society adapt to the continued presence of COVID-19 in our lives and be best positioned to kick-start our economy and resume social interactions, despite the risks posed by COVID-19;

WHEREAS, On May 15, 2020 Mayor Carlos Gimenez issued Emergency Order 23-20 reopening, with few exceptions, every retail and commercial establishment for business as of Monday, May 18, 2020 subject to general and industry specific safety guidelines outlined in the New Normal Handbook and Governor DeSantis's occupancy restrictions; and

WHEREAS, after the passage of almost two months since the County's closure of non-essential businesses, businesses may now reopen at their discretion despite only having a few day's lead time between the issuance of the New Normal Handbook and May 18, 2020, the date the closure order is lifted, to adapt operations to, incorporate and comply with the comprehensive safety and operational requirements and guidelines imposed by the County and the State orders; and

WHEREAS, additional time under mandatory closure is necessary to allow business operators the ability to train returning staff to the required changes in operation; procure and provide to employees and customers the necessary onsite safety equipment; and make all necessary physical and operational adjustments to incorporate social distancing guidelines, health monitoring and reporting protocols in the workplace; and

WHEREAS, the provisions of the State and County Emergency Orders are minimum standards and municipalities may impose stricter standards;

WHEREAS, we remain in a state of emergency at every level of government; and

WHEREAS, the City continues to take action to slow the spread and reduce the impact of the disease to protect its residents;

THEREFORE, in response to the impending risk to the life, health, safety and welfare posed by Coronavirus Disease 2019 (COVID-19) to our citizenry and pursuant to the authority set forth in Florida Statutes §§252.38 and 252.46 and in furtherance of all national, state, county and local emergency orders issued to date not inconsistent with this order;

In order to safeguard the life, health, safety and welfare of the residents of the City of Hialeah; and

In an attempt to slow the spread and mitigate the potential impact of Coronavirus Disease;

EFFECTIVE IMMEDIATELY, I HEREBY ORDER:

1. All retail and commercial establishments and any other establishment or facility permitted to open as of 12:01a.m. on Monday, May 18, 2020 by Miami-Dade County Emergency Order 23-20 or State of Florida Executive Order 20-122 as amended by Executive Order 20-123, shall remain closed in the City of Hialeah, until Wednesday, May 20, 2020 subject to the provisions of this

order. All retail and commercial establishments allowed to operate as permitted by Miami-Dade County Emergency Order 07-20, as amended, shall continue to operate.

2. Effective 12:01 a.m. Wednesday, May 20, 2020, all retail and commercial establishments and any other establishment or facility permitted to open as authorized by Miami-Dade County Emergency Order 23-20 shall comply with the mandatory general and industry specific safety guidelines as set forth in the New Normal Handbook subject to the following more restrictive provisions:

- a. The use of face shields shall be mandatory for employees at all times while providing any grooming service at all personal grooming stores or services, such as barbershops, cosmetology, hair and nail salons.

3. Notwithstanding the provisions of Miami-Dade County Order 23-20 or State of Florida Executive Order 20-122 as amended by Executive Order 20-123, all restaurants and all other food-service establishments in the City of Hialeah shall remain closed for on-premises consumption until Wednesday, May 27, 2020.

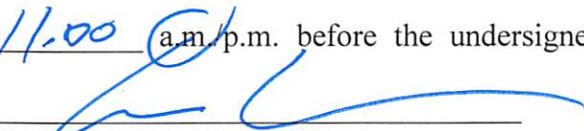
4. All owners or operators of retail and commercial establishments and any facility or other establishment permitted to open shall abide by the most stringent requirement on the use of face masks by employees and patrons of the establishment. The City's use of face masks is governed by COVID-19-COH-EO-7, issued on April 9, 2020 and amended on May 12, 2020 by COVID-19-COH-EO-7A. If the County's orders and guidelines on the use of face masks are permissive or discretionary but the City's orders are mandatory, then the City's order shall take precedence.

5. All persons while outside their homes shall also abide by the most stringent requirement on the use of face masks. If the County's orders on the use of face masks by individuals while in public is permissive or discretionary or subordinate to maintaining social distancing but the City's orders are obligatory and mandate the use of a face mask notwithstanding the ability to observe social distancing, then the City's order shall take precedence.

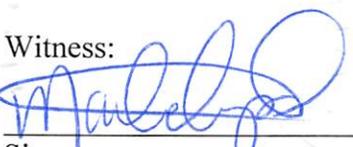
6. This Order shall remain in effect for the period of time the City's declaration of emergency remains in effect or until rescinded or modified, whichever occurs first.

7. This Emergency Order shall be strictly adhered to at all times while the City's declaration of emergency remains in effect and enforceable pursuant to Florida law.

ORDERED on May 18th, 2020 at 11:00 a.m./p.m. before the undersigned witness.



CARLOS HERNANDEZ, Mayor

Witness:


Signature
Print Name: Maribel's Fatjo