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# City of Hialeah

TO: SERGIO VELAZQUEZ, CHIEF  
HIALEAH POLICE DEPARTMENT

CC: JOSEPH DZIEDZIC, DIRECTOR  
PARKS DEPARTMENT

DATE: Feb 1, 2021

TIME: 12:15 PM

FROM: [Signature]  
MAYOR CARLOS HERNANDEZ

ATTEST: [Signature]  
MARBELYS FATJO, CITY CLERK

**EMERGENCY ORDER REOPENING ALL CITY PARKS FOR LIMITED USE  
IN THE CITY OF HIALEAH, FLORIDA  
(COVID-19-COH-EO-59)**

WHEREAS, On March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52 declaring a state of emergency for the State of Florida as a result of the threat of the spread of Coronavirus Disease 2019 (COVID-19);

WHEREAS, the Governor's Declaration remains in effect (Executive Order 20-316) keeping Florida under a State of Emergency as a result of COVID-19; and

WHEREAS, the County and the City have also declared a state of emergency as a result of COVID-19 and remain in a state of emergency to date;

WHEREAS, we remain on a national state of emergency in the United States as many countries in western Europe consider lockdown to combat a resurgence in the spread of COVID-19;

WHEREAS, new variants of the virus have been identified around the world and in the U.S., the variants are more contagious and threaten the efficacy of the vaccines being administered;

WHEREAS, throughout the pandemic, Governor DeSantis, on behalf of the State, Mayor Gimenez, on behalf of the County, and Mayor Carlos Hernandez, on behalf of the City, have issued numerous emergency or executive orders regulating many aspects of society with the objective of

implementing social distancing, reducing the risk of exposure or spread of the virus and avoiding overwhelming our public health resources;

WHEREAS, since March 2020, society has grown accustomed to the limitations on every-day life imposed by the virus, and, in particular, social activities involving gatherings and interactions among many people;

WHEREAS, simple practices, including the use of masks, avoiding crowds, and practicing social distancing, have proven to be the most effective means available to safeguard against the spread of the virus;

WHEREAS, since March 2020, our testing capabilities have improved and our treatment and management of COVID-19 positive cases has improved, but we are lagging behind in the distribution and administration of the two approved vaccines; and

WHEREAS, notwithstanding all the measures taken by the State, the County and the City to combat the virus, COVID-19 remains a serious threat to the health of all who contract the virus with unknown deleterious long term after effects; and

WHEREAS, the U.S. leads the world in COVID-19 positive cases, its death toll to date exceeds 400,000 and Miami-Dade County continues to lead the State in both total positive cases and number of deaths; and

WHEREAS, consistent with the guidelines promulgated by the County for its parks, the City also wishes to open its parks for the public's enjoyment despite the continuing risks posed by COVID-19 subject to use restrictions and limitations on the interactions between persons while using park facilities; and

WHEREAS, in order to provide park services in a reasonably safe environment, it is imperative to continue enforcing the use of masks, prohibit social gatherings, and exercise social distance at public parks; and

WHEREAS, pursuant to Florida Statutes § 252.46(2), the statutory authority for the City's emergency rulemaking powers, the orders and rules adopted due to a declared emergency shall have the full force and effect of law after adoption and upon filing with the Office of the City Clerk; and

WHEREAS, these emergency orders or rules may deviate from existing laws, ordinances, and rules inconsistent with or in conflict with such emergency orders and rules during the period of time the declared emergency exists;

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 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;

I HEREBY ORDER:

1. Effective immediately, all city owned or city operated parks shall open to the public subject to the restrictions set forth in this order.
2. Park hours shall be from 2:00 p.m. to 9:00 p.m. on Monday through Friday only. Parks shall remain closed on Saturdays, Sundays and legal holidays. No person shall be or remain in any city park except during these hours whether a physical barrier to entry on the park exists or not.
3. Except for general field areas (green spaces), hard courts, sand courts, paths and tracks, all other recreational facilities such as recreation buildings, exercise equipment, gazebos or shelters, stadiums, theaters, banquet halls skate parks, gymnasiums, bike racks, tot-lots and playground equipment, shall remain closed for use by the public. No water fountains or bathroom facilities shall be in use until further order.
4. Use of parks during opening hours shall be for limited active uses and passive activities by individuals and groups not exceeding 10 people. Limited active uses allowed are walking, jogging, or general exercise on open fields. Organized activities, team sports/activities, or competitive play of any kind is prohibited, including all pick-up games or sports team practices.
5. The use of face masks at all times is mandatory while at city parks. A copy of the City's Emergency Orders COVID-19-COH-EO-7 and 7A mandating the use of face masks is available upon request at the Office of the City Clerk at City Hall.
6. The provisions of this Order shall supersede any inconsistent provisions in any prior emergency order.
7. 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.
8. 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.
9. The Director of the Parks and Recreation Department, or his designee, shall have authority to enforce this Order at all city parks.
10. A copy of this Order shall be posted at all city parks.