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# City of Hialeah

**EXTENSION OF EMERGENCY ORDER ISSUED MONDAY, MARCH 16, 2020 BY THE  
MAYOR OF THE CITY OF HIALEAH, FLORIDA THROUGH MAY 10, 2021  
PURSUANT TO CHAPTER 252, FLORIDA STATUTES IN RESPONSE TO THE THREATS  
POSED BY CORONAVIRUS DISEASE 2019 (COVID19)  
(COVID-19-COH-EO-73)**

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order Number 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) and the declaration having been extended through Executive Order Numbers 20-114, 20-166, 20-213, 20-276, 20-316, 21-45 and again for 60 days on April 27, 2020 through Executive Order Number 21-94; and

WHEREAS, on March 12, 2020, the County also declared a countywide state of emergency in response to the first reported case of coronavirus infection in Miami-Dade County and County Mayor Daniella Levine-Cava continues to extend the County's declaration of emergency as required by law; and

WHEREAS, on May 3, 2021, Governor Ron DeSantis issued Executive Orders 21-101 and 21-102 purporting to invalidate any local emergency orders restricting the liberties of businesses and individuals as he prepares to declare the State's emergency as a result of the COVID-19 pandemic over; and

WHEREAS, Governor Ron DeSantis has declared that local emergency orders must be invalidated to speed up the recovery in the State and to avoid "adverse and unintended health consequences" from mask mandates and other local emergency orders intended to protect the public from the threat of the virus; and

WHEREAS, furthermore, Governor Ron DeSantis signed SB2006 into law, effective July 1, 2021, further restricting local governments' ability to adopt emergency orders unless they are narrowly tailored to serve a compelling government interest and reserved unto the Governor the power to invalidate any order which, in the opinion of the Governor, unnecessarily restricts the rights and liberties of individuals or businesses; and

WHEREAS, all the pronouncements made by the Governor when the U.S. continues to lead the world in cases and deaths from COVID; and

WHEREAS, Miami-Dade County continues to lead the State with the highest number of positive cases and deaths; and

WHEREAS, notwithstanding the existence of efficacious vaccines, a reduction in positivity rate of new COVID19 infections and an increase in the percent of the population being vaccinated, including younger adults, our failure to reach herd immunity and the prevalence of numerous variants of the virus elusive to effective treatment from the vaccines continue to place us at serious risk to health or life from COVID-19; and

WHEREAS, Chapter 252, Florida Statutes, gives authority to political subdivisions to declare a state of local emergency for a limited duration, thereby waiving the procedures and formalities otherwise required of the political subdivision by law; and

WHEREAS, Coronavirus Disease 2019 (COVID-19) requires extraordinary and immediate actions by the City of Hialeah in order to maintain order and protect the life, health, safety and welfare of the public;

THEREFORE, in response to impending risk to the life, health, safety and welfare posed by Coronavirus Disease 2019 (COVID-19) and pursuant to the authority provided by Chapter 252.38 and in furtherance of all national, state and county emergency orders issued to date;

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 FIND AND DECLARE THAT:

1. A state of local emergency continues to exist in the City of Hialeah, Florida based on the continuing threat to the health and life of the residents of the City of Hialeah posed by COVID-19. The initial declaration of emergency made on March 16, 2020 as extended through May 3, 2021, is hereby extended by this order as provided by law for an additional seven (7) days until May 10, 2021. All actions taken by the City's officers and employees with respect to this emergency before the issuance of this extension are ratified.
2. Consistent with all State Executive Orders and the SAFER AT HOME protocols promulgated by Miami-Dade County, the emergency management powers as provided by Chapter 252, Florida Statutes, and the City Charter, as Mayor of the City of Hialeah I invoke all legal powers to take whatever reasonable prudent actions and issue any and all orders as are necessary within the City of Hialeah to protect the life, health, safety, and welfare of the community and to carry out the provisions of Florida Statutes Sections 252.31 through and including 252.90.
3. This Emergency Order shall remain in effect for seven (7) days from the date it is executed or until cancelled, whichever event occurs first.

**ORDERED** this 3 day of May, 2021 at 11:00 a.m./p.m.

Attest:



Marbelys Fatjo, City Clerk



Mayor Carlos Hernandez