



CITY OF AVENTURA  
OFFICE OF THE CITY MANAGER

**ORDER AND SUPPLEMENT TO DECLARATION OF  
STATE OF EMERGENCY  
(Order Number 18)**

**AMENDED REOPENING OF COMMERCIAL ESTABLISHMENTS**

**WHEREAS**, on March 12, 2020, I, as City Manager of the City of Aventura, promulgated a Declaration of Emergency (the “Declaration”), due to the COVID-19/Coronavirus health emergency within the jurisdictional limits of the City of Aventura (“City”), pursuant to Section 2-404 of the City of Aventura Code of Ordinances; and

**WHEREAS**, Section 2-404 of the City’s Code of Ordinances authorizes the City Manager, to adopt emergency orders which may include, but are not limited to, curfews, declaration of certain areas being off limits, and other matters related to the Declaration; and

**WHEREAS**, on April 3, 2020, the United States Centers for Disease Control and Prevention (“CDC”) recommended that persons wear masks, including cloth masks or other facial coverings, while in public to help control the spread of COVID-19; and

**WHEREAS**, on June 24, 2020, in order to protect the health, safety, and welfare of the residents of Aventura, I entered City of Aventura Emergency Order 12 requiring individuals to use a face covering in certain circumstances, which was amended by Emergency Order 14, dated July 6, 2020; and

**WHEREAS**, on September 26, 2020, Miami-Dade County Mayor Gimenez entered Emergency Order 30-20 governing the opening, with restrictions, of every retail and commercial establishment and any other establishment or facility (collectively, “establishment”) located within Miami-Dade County; and

**WHEREAS**, after further analysis of the Declaration, the CDC’s recommendation, and Miami-Dade County Emergency Order 30-20, I am issuing this Supplement to Declaration to the State of Emergency to modify City Emergency Order 16, dated August 31, 2020, in order to authorize the opening of establishments within the City.

**THEREFORE**, as City Manager for the City of Aventura, Florida, and pursuant to the authority vested in me under Section 2-404 of the City of Aventura Code of Ordinances (the “City Code”), as well as that certain City of Aventura Declaration of State of Emergency, dated March 12, 2020, I hereby ORDER and PROMULGATE the following additional emergency measures:

**Section 1. Declaration Supplemented.**

In accordance with City Code Section 2-404, and Chapter 252, Florida Statutes, the Declaration of the

State of Emergency within the City of Aventura, dated March 12, 2020, and City Emergency Order 16, dated August 31, 2020, are hereby re-affirmed, remain in full force and effect, except as expressly modified herein, and are further supplemented pursuant to this Order, as provided herein:

**Section 2. Findings.**

- (A) The detailed findings of Governor DeSantis' Executive Orders Number 20-52, and Number 20-68, Number 20-82, 20-83, 20-91, 20-92, and 20-233 are hereby incorporated herein by reference.
- (B) The detailed findings of Miami-Dade County Mayor Gimenez as contained in Miami-Dade County Emergency Order 30-20, dated September 26, 2020 is hereby adopted and incorporated herein by reference.

**Section 3. Order: Business Reopening – City Emergency Orders 9, 11, 15, and 16 shall be modified as provided herein.**

- (A) Every retail and commercial establishment and any other establishment or facility (collectively, “establishment”) in the City of Aventura is permitted to open, and remain open, provided that each such establishment complies with the following requirements at all times:
  - 1. the requirements contained herein;
  - 2. the applicable activity-specific requirements in the “Moving To A New Normal Handbook” attached to Miami-Dade County Emergency Order 30-20;
  - 3. the facial covering requirements contained in City of Aventura Emergency Order 14, as revised; and
  - 4. the entry of City or County personnel onto the establishment’s property for the sole purpose of inspection for compliance with this Order.
- (B) Notwithstanding and controlling over any previously issued City Emergency Orders to the contrary, restaurants and other food service establishments shall be permitted to have a minimum occupancy of 50 percent, and shall otherwise comply with social distancing requirements to the maximum extent possible. A restaurant or other food service establishment shall be allowed to operate at up to 100 percent capacity if the restaurant: (1) ensures six feet of distance between tables; (2) ensures that no more than six persons, or ten persons, if in the same household, sit at a table; and (3) ensure that persons not actively eating or drinking are wearing facial coverings.
- (C) As a condition of opening, all establishments shall, as set for in the Moving to A New Normal Handbook:
  - 1. Post CDC signage in public locations emphasizing measures to “Stop the Spread” and to exercise social responsibility;
  - 2. Train all personnel in new operating protocols and modifications to existing codes of conduct to deal with COVID-19 issues;
  - 3. Reduce seating in breakrooms and common areas to ensure a minimum physical distance of six feet between people, and where possible, establish a single point of entrance;
  - 4. Post a contact email address, telephone number or both for employees and customers to raise questions or concerns;

5. If faced with infection from on-site personnel, immediately report the number of infected persons, time of infection, and proposed remediation plan to the Florida Department of Health;
6. Enhance sanitation of all common areas and frequent touch points;
7. Place trash containers for facial coverings and other personal protective equipment near exits, entrances ,and other common areas;
8. Comprehensively clean establishments each night, including thoroughly disinfecting all frequent touch points and emptying all trash receptacles using solid waste bags that are double-bagged and securely sealed;
9. Install hand sanitizer at entry points and throughout the property;
10. Use reasonable efforts to ensure that on-site customers, employees, contractors, and vendors maintain appropriate social distancing, as recommended by the then-current CDC guidelines, which may include, but are not limited to, marking floors at appropriate intervals or providing other visible systems to identify the appropriate social distance.

(D) This order does not limit the number of persons who may be physically present at any religious service. Persons attending religious services are urged to comply with face covering requirements, and to practice social distancing, such as keeping six feet between persons and limiting group size to that necessary to accomplish and maintain six feet between persons.

#### **Section 4. Enforcement**

Any person, firm, or corporation who violates any provision of the Declaration of the State of Emergency, and any Supplemental Order, any Amended Supplemental Order, including this Order, shall be subject to such fine or imprisonment or both as provided by **Sections 1-14 and 2-333** of the City Code, or any other applicable penalty provision. Each day that a violation shall continue to exist shall constitute a separate offense.

#### **Section 5. Effective Date.**

This Order and Supplement to Declaration shall be effective as of 12:01 a.m., September 29, 2020, and may be further supplemented from time to time in accordance with Article VIII of Chapter 2 of the City Code. This document shall be posted and distributed as provided by City Code Section 2-404(f).

Executed this 28<sup>th</sup> day of September, 2020.



By: \_\_\_\_\_

Ronald J. Wasson, City Manager  
City of Aventura, Florida

Copy: Mayor and Commissioners, City Clerk, Police Chief, City Attorney, Department Directors