AMENDMENT NO. 1 TO MIAMI-DADE COUNTY EMERGENCY ORDER 20-20

WHEREAS, section 252.38(3)(a), Florida Statutes, gives political subdivisions the authority to declare and enact a State of Local Emergency for a period of up to seven 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 No. 20-51, directing the State Health Officer and Surgeon General to declare a Public Health Emergency due to the discovery of coronavirus disease 2019 (COVID-19) in Florida; and

WHEREAS, on March 9, 2020, the Governor of Florida issued Executive Order No. 20-52, declaring a State of Emergency for the State of Florida related to COVID-19; and

WHEREAS, on March 12, 2020, the County Mayor declared a Local State of Emergency for all of Miami-Dade County related to COVID-19; and

WHEREAS, COVID-19 is transmitted by infected persons expelling respiratory droplets containing virus particles when they breathe, talk, cough, sneeze, or raise their voice, which are then ingested or inhaled by persons around them; and

WHEREAS, many persons infected by COVID-19 are contagious while they are asymptomatic, and can therefore spread the disease unwittingly; and

WHEREAS, masks and other facial coverings are a simple barrier to help prevent respiratory droplets from traveling into the air and onto other people when the person wearing the facial covering coughs, sneezes, talks, or raises their voice; and

WHEREAS, on April 9, 2020, Miami-Dade County issued Emergency Order 20-20, which required persons inside buildings to wear facial coverings consistent with the United States Centers for Disease Control and Prevention (CDC) guidelines; and

WHEREAS, the governor of Florida has stated that local jurisdictions are authorized to enact mask or facial covering orders as may be needed to address local circumstances; and

WHEREAS, on June 20, 2020, Dr. Scott Rivkees, the State Surgeon General, issued a Public Health Advisory recommending that "all individuals in Florida should wear facial coverings in all settings where social distancing is not possible"; and

WHEREAS, the CDC continues to recommend that persons wear facial coverings, including masks and other facial coverings, in situations where it is difficult to attain social distancing, in order to help control the spread of COVID-19, as described at the following link: https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html; and

WHEREAS, these CDC recommendations, and the findings they are based on, are incorporated herein by reference; and

WHEREAS, medical experts and epidemiologists at the University of Miami, Florida International University, and Jackson Health System have provided recommendations to the County indicating that wearing of masks and other facial coverings is an effective method of reducing the spread of COVID-19 throughout the community; and

WHEREAS, COVID-19 cases have recently spread rapidly in Miami-Dade County; and

WHEREAS, currently, since March, nearly 40,000 County residents have tested positive for COVID-19, and 1,000 have died of the disease; and

WHEREAS, COVID-19 poses a health risk to Miami-Dade County residents, particularly elderly residents and those who are immunosuppressed or otherwise have high-risk medical conditions; and

WHEREAS, the long-term effects of COVID-19 on persons who recover are currently unknown; and

WHEREAS, hospital capacity and medical availability is diminishing as COVID-19 patients require hospitalization, which will limit the ability of hospitals to perform discretionary medical procedures and may impact the delivery of life saving services; and

WHEREAS, trying to control the spread of COVID-19 through business closures, while sometimes necessary, imposes a substantial economic cost on local businesses and their employees; and

WHEREAS, widespread, consistent usage of masks and other facial coverings will help the County to avoid future business closures, provide confidence to business customers and tourists, and help limit economic harm to the community; and

WHEREAS, wearing masks and other facial coverings is a more cost-effective means of addressing the COVID-19 pandemic than are business closures, quarantines, or other solutions; and

WHEREAS, masks and other facial coverings are now required by many private businesses of their customers such as airlines and Walt Disney World; and

WHEREAS, as of June 30, 17 states have issued orders requiring the wearing of a face covering in public to reduce the spread of COVID-19; and

WHEREAS, some municipalities currently require masks and other facial coverings in any public area, and a County wide order will reduce confusion and promote compliance; and

WHEREAS, this amendment requires persons to wear a mask or other facial covering while in public, subject to certain exceptions; and

WHEREAS, based on the guidance of the medical community, and in light of the ongoing spread of COVID-19 in the County, I find it is necessary to issue mandatory guidelines to limit the spread of COVID-19, preserve hospital capacity, and prevent unnecessary loss of life and health; and

WHEREAS, section 8b-7(2)(o) of the Code of Miami-Dade County authorizes the County Mayor to issue any order as may be necessary for the protection of human life and health; and

WHEREAS, section 252.46, Florida Statutes, authorizes the County to issue emergency orders as necessary to protect life and health,

THEREFORE, as County Mayor of Miami-Dade County, I hereby order:

A. Emergency Order 20-20 is replaced in its entirety by the following:

1. All persons throughout Miami-Dade County shall wear a mask or other facial covering when in public, except as set forth in paragraph (3) below.

2. A mask or other facial covering shall comply with the recommendations of the CDC, as such recommendations may change from time to time. The current CDC guidelines recommend wearing a mask or facial covering which snugly covers the face and mouth, whether store bought or homemade, which is secured with ties or ear loops, include multiple layers of fabric, allow for breathing without restriction, and which is able to be laundered and machine dried without damage or losing shape. Examples of compliant homemade masks and other facial coverings may be found at:

   https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html.

   Persons should not utilize N95 rated masks, as those are critical supplies for health care workers, police, fire, emergency management, or other persons engaged in life/safety activities. Persons wearing facial coverings should review the CDC and Florida Department of Health guidelines regarding safely applying, removing, and cleaning such coverings, which are found at:

   https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-to-wear-cloth-face-coverings.html

3. Masks and other facial coverings shall not be required:

   i) at or inside a private residence;

   ii) inside a private automobile;

   iii) at or inside any religious institution, without limitation;

   iv) inside a hotel, motel, or commercial lodging establishment guest room, or inside any apartment;

   v) of children under the age of two years;

   vi) of persons who cannot wear a mask or facial covering due to an existing medical condition;

   vii) of an individual who is hearing impaired or an individual who is communicating with an individual who is hearing impaired;

   viii) where federal or state safety or health regulations prohibit the wearing of facial coverings;

   ix) of persons actively engaged in strenuous physical activity, either inside or outdoors;

   x) of persons swimming or engaged in other activities which may cause the facial covering to become wet;

   xi) while persons are actively eating, drinking, or smoking; and

   xii) while a person is receiving services which require access to that person's nose or mouth.

4. This order does not change or alter any social distancing requirements imposed in any other emergency order.

5. The provisions of this order shall serve as minimum standards. Municipalities may impose more stringent standards within their jurisdictions, as permitted by law.

6. This order shall be effective as of 9:00 a.m., July 2, 2020.

7. This order shall expire upon the expiration of the existing Miami-Dade County State of Local Emergency, except that if such State of Local Emergency is extended, this order shall also be deemed to extend for the duration of such extension. This order may be cancelled earlier by action of the County Mayor.

B. This order shall be provided to all appropriate media consistent with the requirements of section 8B-7(2)(n) of the Code of Miami-Dade County.

Enacted:
Signed: _____
COUNTY MAYOR

Date: 7/2/2020 Time: 07:05

Witness: _____

Cancelled:
Signed: _____
COUNTY MAYOR

Date: _____ Time: ___:___

Witness: _____