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MONROE COUNTY EMERGENCY MANAGEMENT

EMERGENCY DIRECTIVE 20-02

Second Amendment

May 7, 2020

SUBJECT: CLOSING OF THE KEYS TO VISITORS

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 Number 20-51, directing the State Health Officer and Surgeon General to declare a Public Health Emergency due to the discovery of COVID-19/novel Coronavirus in Florida; and

WHEREAS, on March 9, 2020, the Governor of Florida issued Executive Order Number 20-52, declaring a State of Emergency for the state of Florida related to COVID-19/novel Coronavirus; and

WHEREAS, on March 15, 2020, the County Mayor declared a State of Emergency for all of Monroe County in order for the County to take actions to protect the health, safety, and welfare of the community due to the novel coronavirus, COVID-19 pandemic; and

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

WHEREAS, minimization of contact is necessary to avoid risk of COVID-19 infection for the residents of the County; and

WHEREAS, the Centers for Disease Control (CDC) has issued guidance entitled "15 Days to Slow the Spread," encouraging social distancing and maintaining a 6 foot separation between residents to slow the spread of infection and that events with more than ten attendees either be cancelled or held virtually; and

WHEREAS, the CDC guidelines are based upon the amount of community spread within a community and become more stringent where there is minimal to moderate or substantial community spread; and

WHEREAS, due to the intensity of COVID-19 in other hot spots in the nation, the Governor has imposed additional screening measures for travelers departing from hot spots, *see*, Executive Orders 2020-80 and 2020-82; and

WHEREAS, due to the intensity of COVID-19 in Miami-Dade and Broward Counties, the Governor has imposed heightened restrictions on residents and businesses in those two counties, *see*, Executive Order 2020-70;

WHEREAS, the Governor issued Executive Order 20-89 on March 30, 2020 which found that over sixty (60) percent of Florida's identified COVID-19 cases are in South Florida, which makes up a large percentage of Florida's population; and

WHEREAS, Executive Order 20-89 imposes additional restrictions on the South Florida counties of Monroe, Miami-Dade, Broward, and Palm Beach; and

WHEREAS, due to the intensity of COVID-19 community spread in Miami-Dade County, Miami-Dade County issued a series of orders to curtail the spread of the virus by prohibiting gatherings by boaters or "rafting" (Miami-Dade Executive Order 8-20), and closing non-essential businesses (Miami-Dade Executive Order 7-20, as amended), closing parks, beaches, and recreational facilities (06-20, as amended), and gatherings of groups of 10 or more people in public (10-20); and

WHEREAS, due to the acceleration of the number of cases of COVID-19 in the neighboring counties and the high volume of traffic between Monroe County and the mainland of Florida; and

WHEREAS, on March 20, 2020, the County issued emergency directive 20-02 closing the County to tourism ; and

WHEREAS, Emergency Directive 20-02 included a 14 day ban on renting of lodging properties; and

WHEREAS, since the issuance of that directive, the Governor banned the renting of vacant rentals in Executive Order 20-87; and

WHEREAS, the President has extended the CDC's nationwide social distancing guidelines through the end of the month of April 2020; and

WHEREAS, the County Mayor's declaration of local emergency and Section 11-3 of the Monroe County Code vest the Emergency Management Director with the authority to issue emergency directives; and

WHEREAS, in the interests of protecting the health, safety, and welfare of the residents and visitors to Monroe County, it is:

ORDERED that

1. The Florida Keys are closed to all tourists and leisure visitors until the current state of local emergency is lifted or this directive is rescinded by subsequent order.
2. For purposes of this directive, the term lodging establishment means: any hotel, motel, vacation rental property, regardless of duration of stay, other transient rentals such as marinas, RV parks and timeshares.

3. No lodging establishment shall accept reservations, including extensions to current reservations, except for reservations that are expressly contingent upon the state of emergency being lifted or this Directive being rescinded by subsequent order. So long as the state of emergency continues or this Directive is in effect, contingent reservations shall be cancellable under the sole discretion of the lodging establishment or property guest/renter, and shall provide for a full refund to the guest of any payments made by the guest/renter or credit for a future stay should the time period reserved be prohibited under this Directive or any subsequent Directive or Executive Order. When making an advanced reservation, the lodging establishment's reservationist should communicate the above information to the potential visitor so there is a clear understanding of the situation and procedures that will follow.
4. Effective Sunday March 22, 2020 at 6 p.m., all lodging establishments shall cease renting to tourists until further notice. This ban shall not apply to rentals to transitory military personnel, first responders, health care workers, construction workers actively engaged in projects in the County, and others engaged in formal business in the Florida Keys.
5. Each municipality is authorized to exercise its police powers to enforce this directive for properties located within its jurisdiction through code compliance and law enforcement agencies. Each municipality is authorized to enact its own emergency directive that is more restrictive than this directive.
6. The Monroe County Tax Collector is authorized to assist with enforcement of this directive. Any violation may be reported to the Monroe County Tax Collector at 1-855-422-4540.
7. This ban is subject to periodic review and revision. This amendment shall supplement the original Emergency Directive 20-02 but shall rescind any portion thereof in conflict.
8. Per F.S. 252.46(2), this order shall take effect immediately upon being filed with the Monroe County Clerk.

Signed: _____


Shannon Weiner, Emergency Management Director

Date: May 7, 2020

Time: 5:30pm