



## **UPDATE NO. 12 – TOWN OF SURFSIDE EMERGENCY MEASURES**

### **RESCINDING EMERGENCY MEASURES UPDATE NO. 9 “BEACH FURNITURE”**

**(Effective September 19, 2020, at 8:00 A.M.)**

**WHEREAS**, on March 9, 2020, Governor DeSantis issued Executive Order 20-52, declaring a State of Emergency in the State of Florida due to Novel Coronavirus Disease 2019 (“COVID-19”); and

**WHEREAS**, on March 12, 2020, the Town of Surfside, Florida (“Town”) declared a local state of emergency through Resolution No. 2020-2676 due to COVID-19 public health emergency, as authorized by Section 252.38(3)(a), Florida Statutes, and Chapter 2, Article VIII “Emergency Management Procedures” of the Town Code; and

**WHEREAS**, on June 12, 2020, the Town of Surfside (the “Town”) issued Emergency Measures Update No. 9, “Beach Furniture,” attached hereto as Exhibit “A,” imposing emergency regulations on the use and placement of beach furniture by individuals, hotels, residential buildings, and condominiums; and

**WHEREAS**, on September 11, 2020, Governor DeSantis issued Executive Order 20-223, authorizing Miami-Dade County (the “County”) to enter Phase 2 of the “*Safe. Smart. Step-by-Step. Plan for Florida’s Recovery*” guidelines; and

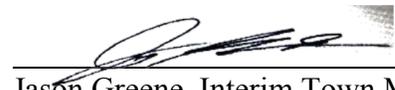
**WHEREAS**, on September 17, 2020, County Mayor Gimenez issued Amendment No. 1 to Emergency Order 28-20, initiating the County’s transition into Phase 2, which continues to require compliance with the “*Moving To A New Normal Handbook*” (the “Handbook”); and

**WHEREAS**, consistent with Florida Governor’s Executive Order 20-223 and the County Mayor’s Emergency Order 28-20, as amended, the Town desires to rescind Emergency Measures Update No. 9, “Beach Furniture,” subject to the requirements of the specific safety guidelines listed in the Handbook.

**NOW, THEREFORE**, as Town Manager of the Town of Surfside, Florida, and pursuant to the authority vested in me by Section 252.38(3)(a), Florida Statutes, and Town Code Chapter 2, Article VIII “Emergency Management Procedures,” in addition to previously ordered emergency measures and directives promulgated, I hereby **ORDER** and **PROMULGATE** the following additional emergency measures, effective **September 19, 2020, at 8:00 A.M.** (the “Order”):

1. **Emergency Measures Rescinded.** Emergency Measures Update No. 9, "Beach Furniture," attached hereto as Exhibit "A," regarding emergency regulations governing beach furniture placement and use is hereby rescinded effective September 19, 2020 at 8:00 A.M. Notwithstanding the rescission of Emergency Measures Update No. 9, "Beach Furniture," all individuals, hotels, residential buildings, and condominiums shall continue to comply with the requirements of County Emergency Order 28-20, as amended, and the provisions of the Handbook.
2. **Prior Emergency Measures.** All prior emergency orders and measures remain in effect except to the extent modified by these Emergency Measures. These Emergency Measures shall supersede and govern over any conflicting provisions contained in any prior order or emergency measures.

TOWN OF SURFSIDE, FLORIDA

  
\_\_\_\_\_  
Jason Greene, Interim Town Manager

Date: September 18, 2020

Time: 5:00 P.M.

**ATTEST:**

  
\_\_\_\_\_  
Sandra McCready, MMC, Town Clerk

**Exhibit "A"**



**TOWN OF SURFSIDE  
OFFICE OF THE TOWN MANAGER**

**UPDATE NO. 9 – TOWN OF SURFSIDE EMERGENCY MEASURES**

**BEACH FURNITURE**

**(Effective June 13, 2020 at 8:00 a.m.)**

**WHEREAS**, on March 9, 2020, Governor DeSantis issued Executive Order 20-52, declaring a State of Emergency in the State of Florida due to Novel Coronavirus Disease 2019 (“COVID-19”); and

**WHEREAS**, on March 12, 2020, the Town of Surfside, Florida (“Town” or “Surfside”) declared by Resolution No. 2020-2676 a state of emergency for the Town of Surfside as authorized by Section 252.38(3)(a), Florida Statutes, and Chapter 2, Article VIII “Emergency Management Procedures” of the Town Code, in response to COVID-19; and

**WHEREAS**, on April 29, 2020, Governor DeSantis issued Executive Order 20-112, implementing Phase 1 of Florida’s “Safe. Smart. Step-by-Step. Plan for Florida’s Recovery,” excluding Broward County and Miami-Dade County, adding certain additional services to the services previously permitted under Executive Order 20-91, including on premises consumption of food and beverage at restaurants, operation of in-store retail, and opening of museums, subject to a 25% capacity limitation; and

**WHEREAS**, on May 14, 2020, Governor DeSantis issued Executive Order 20-122, amending Executive Order 20-112 to include Broward County and Miami-Dade County in Phase 1; and

**WHEREAS**, on May 15, 2020, Miami-Dade County issued Emergency Order 23-20 providing for and implementing the reopening of certain retail, commercial, and other establishments and facilities with specific conditions, together with “The New Normal” A Guide for Residents and Commercial Establishments dated May 15, 2020 (“Handbook”), all of which are incorporated herein and adopted; ”; and

**WHEREAS**, Amendment 1 to Miami-Dade County Emergency Order 23-20, reopens beaches, swimming pools, and hotels, subject to social distancing and other requirements; and

**WHEREAS**, Amendment 1 to Miami-Dade County Emergency Order 23-20, includes a Whereas clause as follows “the County believes that given the current trend in COVID-19 locally,

that beaches, swimming pools, and hotels may be open subject to the rules set forth in the handbook”, the New Normal Guide for Residents and Commercial Establishments Miami-Dade County, revised and dated June 8, 2020 (“the “Handbook”); and

**WHEREAS**, the Handbook, titled, "The New Normal," attached to Amendment 1 to Miami-Dade County’s Emergency Order 23-20, provides guidelines for beach reopening, including beach chairs and beach equipment provided by hotels and residential buildings, including social distancing and cleaning and disinfecting of beach furniture; and

**WHEREAS**, the detailed findings of Miami-Dade County Mayor Gimenez as set forth in County Emergency Order 23-20 are hereby adopted and incorporated by reference; and

**WHEREAS**, the Town understands the importance of strategically and responsibly reopening beaches and establishments, while providing appropriate protections for its residents, business owners and visitors; and

**WHEREAS**, as the Town begins to move towards a “new normal” in the wake of the COVID-19 pandemic, it is the Town’s intent that individuals and every permitted beach furniture operator, consisting of hotels and residential buildings providing beach furniture to guests and residents, on an as needed carry-on and carry-off policy, within the Town’s jurisdiction follow the requirements established by County Emergency Order 23-20 and the Handbook requirements applicable to beaches and beach furniture.

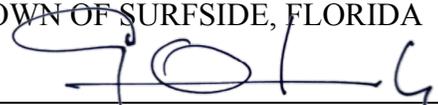
**NOW, THEREFORE**, as Town Manager of the Town of Surfside, Florida, and pursuant to the authority vested in me by Section 252.38(3)(a), Florida Statutes, and Town Code Chapter 2, Article VIII “Emergency Management Procedures”, in addition to previously ordered emergency measures and directives promulgated, I hereby **ORDER** and **PROMULGATE** the following additional emergency measures, effective **June 13, 2020, at 8:00 a.m.** (the “Order”):

1. Miami-Dade County Emergency Order 23-20, together with all attachments and exhibits (Handbook) are hereby adopted and incorporated by reference.
2. **Permitted Beach Furniture.** Beach furniture shall be permitted on the beach, provided said use by individuals or members of the public (section 2(b) below), and guests and residents of hotels and residential or condominium buildings with valid Town-issued beach operator permits (section 2(c) below) is provided on an as needed carry-on and carry-off basis, with no presetting or placement of beach furniture on the beach in advance of said use, and subject to all requirements contained in Amendment 1 to Miami-Dade County Order 23-20 and the Handbook. No beach chairs or furniture may remain on the beach while not in use by an individual, guest or resident, and removal of unused beach chairs and furniture must occur promptly after said use ceases. All use of beach furniture on the beach shall comply with the following:
  - a. As a condition of allowing beach furniture on the beach, all individuals, hotels and residential or condominium buildings with valid Town-issued beach furniture operator permits shall comply with the requirements of Amendment 1 to Miami-Dade County Emergency Order 23-20, including all requirements set forth in the Handbook applicable to the beach and beach furniture.

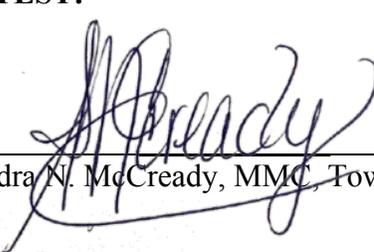
- b. **Individual Users or Members of the Public.** Beach furniture may be placed on the public beach by individuals or members of the public who will utilize same for personal use only and on an as needed carry-on and carry-off basis. Such beach furniture may not be shared and shall follow all requirements found in Amendment 1 to Miami-Dade County Order 23-20 and the Handbook. All beach furniture shall be removed promptly when not in use.
  - c. **Beach Furniture Operators; Hotels and Residential and Condominium Buildings.** Beach Furniture Operators who have obtained a valid Beach Furniture Operator permit issued by the Town, may only place beach furniture on the public beach for individual and personal use of residents and guests. Such furniture may not be shared and shall follow all requirements found in Amendment 1 to Miami-Dade County Order 23-20 and the Handbook. Beach Furniture Operators may not preset beach furniture on the beach in anticipation of use and shall promptly remove the beach furniture once the use ceases. The maximum number of chairs that a Beach Furniture Operator may place on the beach at any one time is twenty, or the number allowed in the permit issued by the Town, whichever is less.
3. All prior emergency orders and measures remain in effect except to the extent modified by this Order. This Order supersedes and governs over any conflicting provisions contained in any prior order or emergency measures.

**THE EMERGENCY MEASURES THAT HAVE BEEN ORDERED AND PROMULGATED ABOVE SHALL BE EFFECTIVE COMMENCING June 13, 2020 at 8:00 A.M., AND SHALL CONTINUE IN EFFECT FROM DAY-TO-DAY UNTIL THE STATE OF EMERGENCY ISSUED ON MARCH 12, 2020 IS DECLARED TO BE TERMINATED IN ACCORDANCE WITH SECTION 2-262 OF THE TOWN CODE. THIS EMERGENCY ORDER MAY BE CANCELLED EARLIER BY ACTION OF THE TOWN MANAGER.**

TOWN OF SURFSIDE, FLORIDA

  
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Guillermo Olmedillo, Town Manager

**ATTEST:**

  
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Sandra N. McCready, MMC, Town Clerk

Date: June 12, 2020

Time: 11:00 p.m.