



TOWN OF SURFSIDE OFFICE OF THE TOWN MANAGER

UPDATE No. 5 – TOWN OF SURFSIDE EMERGENCY MEASURES

Construction Sites

(Effective April 6, 2020 at 5 a.m.)

To: All Residents, Hotels, Motels, Business Owners and Property Managers, Condominiums, Commercial Property Managers and all Construction Personnel:

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 Chapter 252.38(3)(a), Florida Statutes, and Chapter 2, Article VIII “Emergency Management Procedures” of the Town Code, in response to COVID-19 (Coronavirus); and

WHEREAS, it would further mitigate the spread of the COVID-19 virus and serve the health, safety and welfare of the residents of Surfside to prohibit construction in Town, except in the event of emergency repairs and as necessary to secure a site; and

WHEREAS, the location and presence of outside construction workers in the Town, including at residences, multi-family buildings and commercial buildings, creates a significant impact to residents and their families, and essential services personnel and workers (including Building Department personnel and inspectors), and increases the chance of an exposure to COVID-19 on residents, essential services personnel and construction workers; and

WHEREAS, **construction** sites have difficulty adhering to Social Distancing as mandated by CDC guidelines, as may be amended, limiting gatherings to no more than ten (10) persons and requiring distancing between persons of a minimum of six (6) feet; and

WHEREAS, the closure of construction sites is a necessary response to preserve life and health during the global COVID-19 pandemic in light of Surfside’s unique urban environment with residents and business owners living and occupying space in close proximity, where construction poses a public health safety risk by facilitating the transmission of the airborne COVID-19 virus with potentially severe illness and/or death; and

WHEREAS, Miami-Dade County Order 7-20, and Governor DeSantis Executive Order 20-91 do not prohibit a local municipality from prohibiting or restricting construction as a non-essential service or business and adopting more stringent regulations than Miami-Dade County, and this Order is issued consistent with the directives in Miami-Dade County Order 7-20.

NOW, THEREFORE, pursuant to the Declaration and Miami-Dade County Order No.03-20, further orders may be issued to protect the health, safety, and welfare of the Town of Surfside. I, as the Town Manager of the Town of Surfside, Florida, and pursuant to the authority vested in me by Chapter 252.38(3)(a), Florida Statutes, and Town Code Chapter 2, Article VIII “Emergency Management Procedures”, and in addition to previously ordered emergency measures and directives promulgated on the closure of construction sites, I hereby **ORDER** and **PROMULGATE** the following additional emergency measures, effective **April 6, 2020, at 5:00 a.m.** (the “Order”):

1. **Construction Sites and Activities - All Properties.** All construction sites within the Town are hereby ordered closed, except **EMERGENCY REPAIRS** (such as plumbing/air conditioning emergencies, etc.) and limited work undertaken to secure/demobilize a construction site. Any construction work undertaken as **EMERGENCY REPAIRS** shall obtain the prior written approval of the Town’s Building Official, all construction workers shall comply with Social Distancing requirements and shall wear protective gear (including masks and gloves) consistent with industry standards and CDC and all governmental guidelines, as amended from time to time. This Order shall not apply to contractors and other tradesmen, appliance repair personnel, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and other structures.

2. No person shall violate the terms of this Order, except upon direct authorization of the Town of Surfside Town Manager and Police Department. Any violation of this Order shall be subject to fine, arrest and/or closure of the construction site.

3. This Order is in addition to, and supplements, the Town’s Emergency Measures and Orders. All requirements of Town Emergency Measures or Orders, Miami-Dade County Emergency Orders, and State of Florida Executive Orders shall be strictly adhered to at all times.

4. The provisions of this Order are declared to be severable and, if any section, sentence, clause or phrase of this Order for any reason is held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Order and they shall remain in effect, it being the intent that this Order shall stand notwithstanding the invalidity of any part.

5. This Order further finds that the provisions of the Order are not only rationally related to, but are also narrowly tailored to the state of emergency. The Order is the least restrictive means of achieving the compelling governmental interest of mitigating and slowing the further spread of the COVID-19 virus in the Town, its concomitant impacts on the region’s health care system serving the Town, and the protection of health and life for all residents, essential services personnel and workers, and construction workers entering the Town.

THE EMERGENCY MEASURES THAT HAVE BEEN ORDERED AND PROMULGATED ABOVE SHALL BE EFFECTIVE APRIL 6, 2020 at 5:00 a.m., UNTIL APRIL 30 2020 AT 11:59 P.M. UNLESS CANCELLED EARLIER OR EXTENDED BY THE TOWN MANAGER.

TOWN OF SURFSIDE, FLORIDA

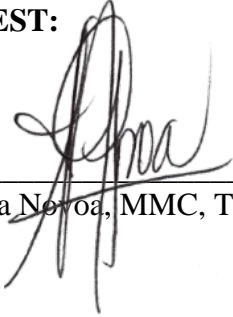


Guillermo Olmedillo, Town Manager

Date: April 5, 2020

Time: p.m.

ATTEST:



Sandra Noriega, MMC, Town Clerk