
**CITY OF MIAMI BEACH
DECLARATION OF A STATE OF EMERGENCY**

EXTENDED THROUGH 11:59 P.M. ON MAY 26, 2021

WHEREAS, coronavirus disease 2019 (“COVID-19”), a severe acute respiratory illness caused by the SARS-CoV-2 virus that can spread rapidly from person to person and cause serious illness or death, constitutes a clear and present threat to the lives, health, welfare and safety of the people of the City of Miami Beach; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52, declaring a State of Emergency for the State of Florida related to COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization declared the rapidly spreading coronavirus outbreak a pandemic; and

WHEREAS, on March 12, 2020, Miami-Dade County Mayor Carlos Gimenez declared a State of Emergency for all of Miami-Dade County due to the threats associated with COVID-19; and

WHEREAS, on March 12, 2020, Jimmy Morales, City Manager for the City of Miami Beach, declared a State of Emergency for the City of Miami Beach, as COVID-19 poses a health risk to the City’s residents, particularly elderly residents and those who are immunosuppressed or otherwise have high risk of medical conditions, which declaration was amended on March 13, 2020, and the findings of which are hereby incorporated by reference (the “Declaration”); and

WHEREAS, the Declaration has been extended by the City Manager through May 12, 2021, pursuant to Resolution Nos. 2020-31192, 2020-31219, 2020-31245, 2020-31246, 2020-31273, 2020-31280, 2020-31282, 2020-31284, 2020-32187, 2020-31308, 2020-31312, 2020-31372, 2020-31424, 2020-31463, 2020-31506, 2020-31529, 2021-31558, 2021-31598, 2021-31651, and 2021-31691, the findings of which are hereby incorporated by reference; and

WHEREAS, pursuant to Sections 26-31 and 26-33 of the City Code and Chapter 252 of the Florida Statutes, the City Manager of the City of Miami Beach is authorized to declare a state of emergency, with such limitations and conditions as the City Manager may deem appropriate; and

WHEREAS, pursuant to City Code Section 26-35, the duration of such Declaration of a State of Emergency is limited to a period of 72 consecutive hours, unless an extension is authorized by the City Commission by duly enacted resolution in a regular or special session of the City Commission; and

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WHEREAS, Section 252.38, Florida Statutes, provides that the duration of each State of Emergency declared locally is limited to a period of seven (7) days; however, Section 252.38 also provides that such local State of Emergency may be extended, as necessary, in 7-day increments; and

WHEREAS, on April 21, 2021, at approximately 5:48 P.M., the Mayor and City Commission adopted Resolution No. 2021-31691, authorizing the City Manager to extend the Declaration of a State of Emergency for an additional period of seven (7) days, commencing at 12:00 a.m. on April 22, 2021, and ending at 11:59 p.m. on April 28, 2021, and further authorizing the City Manager to extend the Declaration for two (2) additional 7-day increments, commencing at 12:00 a.m. on April 29, 2021, and ending at 11:59 p.m. on May 12, 2021; and

WHEREAS, on April 21, 2021, and pursuant to Resolution No. 2021-31691, City Manager Alina T. Hudak extended the Declaration of a State of Emergency for additional seven (7) days, commencing at 12:00 a.m. on April 22, 2021, and ending at 11:59 p.m. on April 28, 2021; and

WHEREAS, on April 28, 2021, and pursuant to Resolution No. 2021-31691, City Manager Alina T. Hudak extended the Declaration of a State of Emergency for additional seven (7) days, commencing at 12:00 a.m. on April 29, 2021, and ending at 11:59 p.m. on May 5, 2021; and

WHEREAS, on May 3, 2021, Governor Ron DeSantis issued Executive Order 21-102 immediately suspending “all local COVID-19 restrictions and mandates on individuals and businesses”; and

WHEREAS, the State of Emergency declared by Governor DeSantis in Executive Order 20-52, as extended by Executive Orders 20-114, 20-166, 20-192, 20-213, 20-276, 20-316, and 21-45 remains in effect for the entire State of Florida until June 26, 2021; and

WHEREAS, the City’s Declaration of a State of Emergency is a separate matter from the issuance of any emergency measures pursuant to such Declaration. While Executive Order 21-102 suspends emergency measures imposed upon individuals and businesses, the Order does not restrict the City from continuing to declare a State of Emergency or taking any other action in order to obtain reimbursement for COVID-related expenses; and

WHEREAS, on May 5, 2021, and pursuant to Resolution No. 2021-31691, City Manager Alina T. Hudak extended the Declaration of a State of Emergency for additional seven (7) days, commencing at 12:00 a.m. on May 6, 2021, and ending at 11:59 p.m. on May 12, 2021; and

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WHEREAS, on May 12, 2021, the Mayor and City Commission adopted Resolution No. 2021-31718, authorizing the City Manager to extend the Declaration of a State of Emergency for an additional period of seven (7) days, commencing at 12:00 a.m. on May 13, 2021, and ending at 11:59 p.m. on May 19, 2021, and further authorizing the City Manager to extend the Declaration for five (5) additional 7-day increments, commencing at 12:00 a.m. on May 20, 2021, and ending at 11:59 p.m. on June 23, 2021; and

WHEREAS, on May 12, 2021, and pursuant to Resolution No. 2021-31718, City Manager Alina T. Hudak extended the Declaration of a State of Emergency for additional seven (7) days, commencing at 12:00 a.m. on May 13, 2021, and ending at 11:59 p.m. on May 19, 2021.

NOW, THEREFORE, I, ALINA T. HUDAK, as City Manager for the City of Miami Beach, Florida, pursuant to the authority vested in me under Section 26-31 of the City of Miami Beach Code of Laws and Ordinances (the "City Code"), have determined that there is reason to believe that there exists a clear and present danger of a riot or other general public disorder, widespread disobedience of the law, and substantial injury to persons or to property, all of which constitute an imminent threat to public peace or order, and to the general welfare of the City of Miami Beach, based upon the COVID-19 pandemic. I further find that it is necessary to continue to take immediate action to control and reduce threats associated with the COVID-19, to protect the public health, safety and welfare of the people of the City of Miami Beach.

BASED ON THE FOREGOING, I HEREBY extend the Declaration of a State of Emergency in the City of Miami Beach to address the COVID-19 pandemic for an additional seven (7) day period, commencing at 12:00 a.m. on May 20, 2021, and ending at 11:59 p.m. on May 26, 2021, unless extended by the Miami Beach City Commission by duly enacted Resolution in regular or special session, or extended by the City Manager pursuant to Resolution No. 2021-31718.

CITY OF MIAMI BEACH, FLORIDA

DocuSigned by:

Alina Hudak

Alina T. Hudak, City Manager

Date: 5/19/2021 | 5:42 PM EDT

Time: _____

ATTEST:

DocuSigned by:

Regis Barbou

Regis Barbou,
Office of the City Clerk