# TOWN OF CUTLER BAY
# EMERGENCY ORDER NO. 20-05

The effects of COVID-19 continue to require extraordinary and immediate actions by the Town in order to further protect our residents' health, safety and welfare. The Town's parks and recreational facilities are potential gathering places for the spread of COVID-19. Additionally, based on the data related to the number of new COVID-19 cases within Miami-Dade County and associated hospitalizations that this is not the appropriate time to begin reducing public safety measures intended to protect our Town residents.

By virtue of the powers and duties vested in me as the Town Manager of the Town of Cutler Bay, Miami-Dade County, Florida, in accordance with Section 252.38 of the Florida Statutes, under Chapter 12, Article II, Sec. 12-23 (a) of the Town Code, and pursuant to the Town's Declaration of a State of Emergency issued on March 13, 2020, I hereby find that it is in the best interest of the residents of Cutler Bay to declare the following Emergency Order to permit the expansion of outdoor dining subject to the requirements below:

1. Restaurants within the Town may provide outdoor dining areas in accordance with the provisions, exhibits, and diagrams set forth in Miami-Dade County Emergency Order 23-20 (the "County Order") at https://www.miamidade.gov/information/library/coronavirus-emergency-order-23-20.pdf

2. Any references in the County Order to County Departments, Divisions, or personnel shall be deemed to refer to the equivalent Town Departments, Divisions, or personnel.

3. Any references in the County Order to the Miami-Dade County Code of Ordinances shall be deemed to refer to the equivalent Town Code of Ordinances provisions.

4. Any applicable provisions within the Town Code of Ordinances or within any development order that would otherwise prohibit outdoor dining are hereby waived for the duration of this Emergency Order.

5. Town Staff is available to assist applicants for outdoor dining areas by phone at (305) 234-4262 or email at info@cutlerbay-fl.gov

No person shall violate the terms of this Emergency Order, except upon direct authorization of the Town of Cutler Bay Police Department. Any violation of this Emergency Order shall be subject to fine, imprisonment, and/or closure of the outdoor dining area.

This Emergency Order shall be effective **commencing May 18, 2020 at 12:01 PM (EST)** and shall continue in effect from day-to-day until the State of Emergency issued on March 13, 2020 is declared to be terminated by the Town Manager or Town Council in accordance with Section 12-24 of the Town Code. This Emergency Order may be cancelled earlier by action of the Town Manager.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the Town of Cutler Bay to be affixed this 16th day of May, 2020 at 7:00 PM (EST).

Rafael G. Casals, ICMA-CM, CFM
Town Manager

Attest:

Debra Eastman, MMC
Town Clerk