

BAL HARBOUR

- VILLAGE -

UPDATE #7 - BAL HARBOUR EMERGENCY MEASURES

Isolation of Individuals Traveling to Bal Harbour

(Effective March 31, 2020 at 5:00 p.m.)

WHEREAS, on March 13, 2020, I, as Village Manager of Bal Harbour Village, promulgated an Emergency Order which, among other requirements, temporarily closed Village facilities and certain businesses located in the Village, and imposed emergency measures effective immediately; and

WHEREAS, on March 23, 2020, after previously declaring a public health emergency and state of emergency, Governor Ron DeSantis issued Executive Order Number 20-80, which directed all individuals flying into the State of Florida from an area with substantial community spread, including the New York Tri-State Area (Connecticut, New Jersey and New York), to isolate or quarantine for a period of 14 days from the time of entry into the state or the duration of the person's presence in the state, whichever is shorter; and

WHEREAS, on March 24, 2020, Governor Ron DeSantis issued Executive Order Number 20-82, which further amends Executive Order 20-80, and applies the required isolation or quarantine period retroactively to individuals who have entered the State of Florida after being in an area with substantial community spread within the previous 14 days; and

WHEREAS, on March 24, 2020, Governor Ron DeSantis issued Executive Order Number 20-83, which directed the State Surgeon General and State Health Officer to issue a public health advisory to all persons 65 years of age urging them to stay home and to take such other measures as necessary to limit their risk of exposure to COVID-19.; and

WHEREAS, on March 25, 2020 the State of Florida Department of Health issued a Public Health Advisory recommending all individuals over the age of 65 and all individuals of any age with high-risk conditions remain in their residence and take all measures to limit the risk of exposure to COVID-19; and

WHEREAS, on March 29, 2020, the Centers for Disease Control and Prevention (CDC) released guidance urging residents of the New York Tri-State Area to refrain from non-essential domestic travel for 14 days effective immediately, excluding employees of critical infrastructure industries, including but not limited to trucking,

public health professionals, financial services, and food supply (see <https://www.cdc.gov/coronavirus/2019-ncov/travelers/travel-in-the-us.html>); and

WHEREAS, Bal Harbour Village is a known preferred location for second residences for persons from outside the State of Florida, both within and outside of the United States; and

WHEREAS, Florida is experiencing an increase in individuals fleeing to Florida from states where "shelter-in-place" orders are being implemented, especially from the New York Tri-State Area, from other states with substantial community spread (more than 2,000 reported cases per the CDC on March 30, 2020), and from outside the United States; and

WHEREAS, Bal Harbour Village is already experiencing an increase in such arrivals not only from the New York Tri-State Area but also from other states with substantial community spread and outside the United States.

NOW, THEREFORE, as Village Manager of Bal Harbour Village, Florida, and pursuant to the authority vested in me Chapter 252.38(3)(a), Florida Statutes, and Bal Harbour Village Code Chapter 2, Article VIII "Emergency Management" (the "Village Code"), as well as that certain Bal Harbour Village Declaration of State of Emergency, dated March 13, 2020, and in addition to the Emergency Measures I have previously ordered and promulgated, I hereby ORDER and PROMULGATE the following additional emergency measures, effective March 31, 2020 at 5:00 p.m. (the "Order"):

1. All persons arriving in Bal Harbour Village by any means or mode of transportation from anywhere outside of the United States or from the following areas of documented substantial community spread, as determined by the CDC data at www.cdc.gov, shall isolate or quarantine, as applicable, for their period of occupancy in Bal Harbour Village or for 14 days from the date occupancy in Bal Harbour Village is established, whichever is shorter:

- California
- Colorado
- Connecticut
- Georgia
- Illinois
- Louisiana
- Massachusetts
- Michigan
- New Jersey
- New York
- Pennsylvania
- Texas
- Washington State

a. This Order shall not apply to persons employed by the airlines and those performing military, emergency or health response.

- b. This Order shall not apply to persons who leave such isolation or quarantine for the sole purpose of seeking medical treatment.
 - c. This Order shall take effect immediately and apply retroactively to all persons who meet the definition of Section 1 above.
 - d. All persons isolating or quarantining under this Order shall be responsible for all costs associated with their isolation or quarantine, including transportation, lodging, food, medical care and any other expenses to sustain the person during the period of isolation or quarantine.
2. For purposes of this Order, and pursuant to CDC guidelines, "Isolate" shall mean to separate sick people with a contagious disease from people who are not sick; and "Quarantine" shall mean the separation and restriction of the movement of people who were exposed to a contagious disease to see if they become sick.
3. All persons covered under Section 1 of this Order shall immediately inform the Bal Harbour Police Department (or the Condominium Association Manager if they are arriving at a condominium on the east side of Collins Avenue) upon their arrival.
4. Condominium Association Managers for condominiums located on the east side of Collins Avenue shall collect this information and provide it to the Bal Harbour Police Department upon receipt.
5. A warning must be given in response to a first offense. After warning, failure to follow this Order is a second-degree misdemeanor pursuant to Section 252.50, Florida Statutes, and is punishable by imprisonment not to exceed 60 days, a fine not to exceed \$500, or both.
6. This Order may be further amended to include or exclude additional states where community spread is documented as increasing or decreasing by the CDC.
7. This Order is in addition to, and supplements, the Village's Emergency Orders. All requirements of Village Emergency Orders, Miami-Dade County Emergency Orders, and State of Florida Executive Orders shall be strictly adhered to at all times.
8. 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.

9. I further find 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 Village and its concomitant impacts on the region's health care system serving the Village.

THE EMERGENCY MEASURES THAT HAVE BEEN ORDERED AND PROMULGATED ABOVE SHALL BE EFFECTIVE MARCH 31, 2020 at 5:00 p.m., UNTIL APRIL 22, 2020 AT 11:59 P.M. UNLESS EXTENDED BY THE VILLAGE MANAGER.

BAL HARBOUR VILLAGE, FLORIDA




Jorge M. Gonzalez, Village Manager

Date: March 30, 2020

Time: 5:00 p.m.

ATTEST:



Dwight S. Danie, Village Clerk