



**CITY OF KEY WEST
STATE OF LOCAL EMERGENCY DIRECTIVE 2020-03**

WHEREAS, Section 252.38(3)(a), Florida Statutes, gives political subdivisions the authority to declare and enact a State of Local Emergency for a period of up to seven days, thereby waiving the procedures and formalities otherwise required of the political subdivision by law; and

WHEREAS, on March 1, 2020, the Governor of Florida, Ron Desantis, issued Executive Order Number 20-51, directing the State Health Officer and Surgeon General to declare a Public Health Emergency due to the discovery of Coronavirus Disease 2019 (COVID-19); in Florida; and

WHEREAS, on March 1, 2020, the State Health Officer and Surgeon General issued a Declaration of Public Health Emergency, stating that COVID-19 is a threat to public health in Florida;

WHEREAS, on March 9, 2020, the Governor of Florida issued Executive Order Number 20-52, declaring a State of Emergency because of COVID-19; and

WHEREAS, on March 15, 2020, at 3:15 p.m. the City of Key West declared a State of Local Emergency; and

WHEREAS, the Centers for Disease Control (CDC) has issued guidance entitled "15 Days to Slow the Spread," encouraging social distancing and maintaining a 6-foot separation between residents to slow the spread of infection and that event and/or social gatherings of groups of more than 10 people; and

WHEREAS, operating from or within the City of Key West there are multiple facilities that attract social gatherings of groups of more than 10 people; and

WHEREAS, on March 17, 2020 Governor DeSantis issued a subsequent order closing bars and nightclubs at 5p.m. that same day for a period of 30 days. The Governor also announced a reduction in occupancy for restaurants; and

WHEREAS, the City of Key West issued State of Local Emergency Directive 2020-01 on March 17, 2020, which supported and enhanced the Governor's Order as well as ordered the closure of numerous public facilities;

WHEREAS, the City of Key West issued State of Local Emergency Directive 2020-02 on March 19, 2020, which further supported and enhanced the Governor's Orders as well as ordered the closure of additional public facilities;

WHEREAS, the County of Monroe issued Emergency Directive 20-02 on March 20, 2020, which closed the County to tourists and leisure visitors and ordered the closure of all hotels, short term vacation rentals, transient rentals for 14 days effective Sunday, March 22, 2020 (with certain exceptions);

WHEREAS, on March 20, 2020 Governor DeSantis issued a subsequent executive order closing gymnasiums and fitness centers and ordering restaurants to suspend all on-premises food consumption that same day state-wide and extending all executive orders for the foreseeable future; and

WHEREAS, the County of Monroe now has its first confirmed COVID-19 case despite prior attempts by the Governor and the City of Key West to prevent the spread of the disease;

WHEREAS, there is reason to believe that COVID-19 is spread amongst the population by various means of exposure, including the propensity to spread person to person and the propensity to attach to surfaces for prolonged periods of time, thereby spreading from surface to person and causing property loss and damage in certain circumstances; and

WHEREAS, this order is given because of the propensity of the virus to spread person to person and because the virus physically is causing property damage due to its proclivity to attach to surfaces for prolonged periods of time; and

WHEREAS, the direct and definite public health and safety threats of COVID-19, and the related threats to the health, safety, and welfare of the residents of the City of Key West, are now imminent and emergency action must be taken to mitigate the effects of COVID-19, prevent deaths and injuries of persons, and preserve the lives and property of the people of the City of Key West; and

WHEREAS, the enactment of the local state of emergency undertaken pursuant to Florida States permits the City of Key West to take whatever action is necessary to insure the health, safety and welfare of the community;

WHEREAS, continued closure of facilities and activities that pose the risk of transmission of COVID-19 and are not essential for the function of the City of Key West is necessary to combat COVID-19 to ensure the health safety and welfare of the community.

NOW THEREFORE, as Mayor and City Manager of the City of Key West, we hereby order:

1. All non-essential retail and commercial establishments are ordered closed.
2. Essential retail and commercial businesses, which may remain open, are:
 - a. Healthcare providers, including, but not limited to, hospitals, doctors' and dentists' offices, urgent care centers, clinics, rehabilitation facilities, physical therapists, mental health professionals, psychiatrists, therapists, and pharmacies subject to the State of Florida's Executive Order #2020-72;

b. Grocery stores, farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, liquor stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This authorization includes stores that sell groceries and sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operations of residences;

c. Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;

d. Newspapers, television, radio, and other media services;

e. Gas stations; auto-supply, auto-repair, new and used automobile dealerships, bicycle repairs; provided however that such businesses should ensure that customers practice the social distancing as advised by the CDC;

f. Banks and related financial institutions;

g. Hardware stores

h. Contractors and other tradesmen, appliance repair personnel, exterminators, and other services providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and other structures;

i. Businesses providing mailing and shipping services, including post office boxes;

j. Private colleges, trade schools and technical colleges, but only as needed to facilitate online or distance learning and university, college, or technical college residential halls, to the extent needed to accommodate students who cannot return to their homes;

k. Laundromats, dry cleaners, and laundry service providers;

l. Restaurants and other facilities that prepare or sell food and/or alcohol, but subject to the limitations and requirements of State of Florida Executive Order 2020-71. Schools and other entities that typically provide free food services to students or members of the public may continue to do so on the condition that the food is provided to students or members of the public on delivery, pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;

m. Businesses that supply office products needed for people to work from home;

n. Businesses that supply other essential businesses with the support or supplies necessary to operate, and which do not interact with the general public;

o. Businesses that ship or deliver groceries, food, goods, or services directly to residences;

p. Airlines, taxis, and other private transportation providers providing transportation services via automobile, truck, bus or train;

q. Home-based care for seniors, adults, or children;

r. Assisted living facilities, nursing homes, and adult day care centers, and senior residential facilities;

s. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;

t. Landscape and pool care businesses, including residential landscape and pool care services;

u. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities should operate under the following mandatory conditions:

1. Childcare must be carried out in stable groups of 10 or fewer (inclusive of childcare providers for the group).

2. Children and childcare providers shall not change from one group to another.

3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix or interact with each other.

v. Businesses operating at any airport, seaport, or other government facility, including parks and government offices;

w. Pet supply stores;


x. Logistics providers, including warehouses, trucking, consolidators, fumigators, and handlers;

y. Telecommunications providers, including sales of computer or telecommunications devices and the provision of home telecommunications;

z. Provision of propane or natural gas;

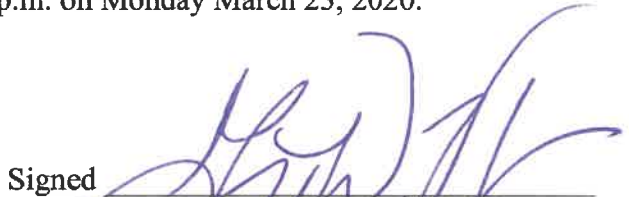
- aa. Office space and administrative support necessary to perform any of the above-listed activities;
 - bb. Open construction sites, irrespective of the type of building;
 - cc. Architectural, engineering, or land surveying services;
 - dd. Factories, manufacturing facilities, bottling plants, or other industrial uses;
 - ee. Waste management services, including collection and disposal of waste;
 - ff. Any business that is interacting with customers solely through electronic or telephonic means, and delivering products via mailing, shipping, or delivery services;
 - gg. Private and municipal marinas and boat launches, docking, fueling, marine supply and other marina services but only from 7:00 a.m. to sunset;
 - hh. Veterinarians and pet boarding facilities; and
 - ii. Mortuaries, funeral homes, and cemeteries.
3. This directive does not affect or limit the operations of the City of Key West, any public utility, the Monroe County School District, or any County, State or Federal office or facility, except that such entities shall abide by the restriction of any County, municipal, State or Federal emergency order, as applicable.
 4. To the extent practical, employers should utilize all reasonable measures to permit employees to work remotely whenever possible. While this order does not limit the number of persons who may be physically present performing services at any location where an essential business is being conducted (except as expressly set forth herein or otherwise governed by any State or Federal order or regulation), employers and employees shall practice social distancing by keeping six feet between persons and limiting group size to less than ten people.
 5. This directive does not limit the number of persons who may be physically present at any religious service. Persons attending religious services are urged to practice social distancing, such as keeping six feet between persons and limiting group size to less than ten people.
 6. In the interest of public safety, economic stability and long-term recovery, all individuals should reduce social contact to the greatest degree possible by limiting their travel for essential services only.

7. The provisions of this order shall serve as minimum standards.
8. The conditions specified herein shall be assessed daily and this directive shall remain in effect until superseded, repealed or upon expiration of the local state of emergency, including any extensions thereof.
9. This directive shall take effective at 5:00 p.m. on Monday March 23, 2020.

Signed 
Teri Johnston, Mayor, City of Key West

Date: 3/21/20

Time: 3:40 PM

Signed 
Greg Veliz, Manager, City of Key West

Date: 3/21/20

Time: 3:41