



## CITY OF KEY WEST

### STATE OF LOCAL EMERGENCY DIRECTIVE 2020-10

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 on that same date, 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, on March 30, 2020, the Governor of Florida issued Executive Order Number 20-89, which found that over sixty (60) percent of Florida's identified COVID-19 cases are in South Florida and as a result imposed additional restrictions on the South Florida Counties of Monroe, Miami-Dade, Broward, and Palm Beach; and

WHEREAS, the Centers for Disease Control (CDC) has since issued updated guidance entitled "30 Days to Slow the Spread," encouraging social distancing and maintaining a 6-foot separation between residents to slow the spread of infection and to avoid large and small gatherings in private places and public spaces, such a friend's house, parks, restaurants, shops, or any other place and to avoid all groups and/or gatherings of more than ten (10) people; and for individuals to cover their mouths and noses with a cloth face cover when around others, including when they have to go out in public; and

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

WHEREAS, pursuant to Section 252.46, Florida Statutes, political subdivisions are authorized and empowered to make, amend, and rescind such orders and rules as are necessary for emergency management purposes and to supplement the carrying out of the provisions of Sections 252.31-

252.90, Florida Statutes, such orders and rules have full force and effect of law, and all existing laws, ordinances, and rules inconsistent with any order or rule issued under the authority of such statute shall be suspended during the period of time and to the extent that such conflict exists; and

WHEREAS, it is necessary and appropriate to take action to ensure that COVID-19 remains controlled, and that residents in the City of Key West remain safe and secure and that any re-opening promotes business operation and economic recovery while maintaining focus on core safety principals.

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

A. Each person utilizing public transportation within the City of Key West shall implement measures which mitigate the exposure and spread of COVID-19. Such measures will include:

1. Following the Social Distancing Guidelines<sup>1</sup> from the CDC and practicing social distancing to the greatest extent possible while on the bus by limiting close contact with each other. All riders shall be seated.
  - i. Except for immediate family members, all individuals shall maintain at least one seat of distance between them as portrayed by signs during their trip. Immediate family members are defined as individual and spouse, domestic partner, parents, children, or legal guardians who reside in the same household, and inclusive of children whose custody is shared between two parents in different households;
2. Passengers shall avoid sitting within 6 feet of the bus driver as delineated by floor markings.
3. All persons shall wear facial coverings.
  - i. Wearing a covering over the nose and mouth may include a face mask, face shield, gaiter, homemade mask, or other cloth covering, such as a scarf, bandana, handkerchief or other similar cloth covering;
  - ii. Nothing herein shall operate to restrict any person from accessing any retail or commercial establishment to address any emergency or other exigent circumstance, even if a covering over the nose and mouth is not readily accessible at the time of such emergency or other exigent circumstance.
  - iii. Medical and surgical face masks, such as "N95" masks or other similar medical or surgical masks are in short supply and should be reserved for health care personnel and other first responders with the greatest need for such personal protective equipment. Persons are encouraged to review and comply with the CDC and Florida Department of Health guidelines on personal protective equipment, including with respect to the use of a medical or surgical face mask, such as an "N95" mask or other similar medical or surgical mask.

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<sup>1</sup> <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html>

B. This Emergency Directive shall be enforced under section 252.47, Florida Statutes. Violation of 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.


C. The provisions of this Directive shall serve as minimum standards in conjunction with all Emergency Directives and Executive Orders previously issued and remain in force and effect unless modified or superseded. In the event of any conflict, the more restrictive measure shall control.

D. 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.

E. 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. Instances of non-compliance may result in suspension of the order.


F. This entire Directive in easing the restrictions on business activity (and hopefully those additional measures that may be forthcoming for our economic well-being) is dependent upon the public's compliance and cooperation. Any increase in the rate of spread of Covid-19 in our community jeopardizes our ability to move forward. We strongly encourage individuals to act responsibly for their health and the physical and economic health of our community.

G. This Emergency Directive is effective at 12:01 a.m. on May 16, 2020.

Signed   
Teri Johnston, Mayor, City of Key West

Date: 5-15-20

Time: 3:10 Pm

Signed   
Gregory W. Veliz, Manager, City of Key West

Date: 5-15-20

Time: 3:11 pm