



**CITY OF KEY WEST**

**STATE OF LOCAL EMERGENCY DIRECTIVE 2020-19**

**CITY OF KEY WEST BOAT RAMP CLOSURES**

**Wednesday, July 29, 2020, 12:01 a.m. – Thursday, July 30, 2020, 11:59 p.m.**

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and causes symptoms similar to those of influenza and, in some cases, cause death; and

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; and

WHEREAS, on March 9, 2020, the Governor of declared 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 since issued guidance entitled encouraging social distancing and maintaining a 6-foot separation between residents to slow the spread of infection 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, stating that “COVID-19 spreads mainly among people who are in close contact (within about 6 feet) for a prolonged period” and “[t]he more people an individual interacts with at a gathering and the longer that interaction lasts, the higher the potential risk of becoming infected with COVID-19 and COVID-19 spreading”; and

WHEREAS, the CDC strongly advises that reopening of communities include full observance of the social distancing, facial covering, and sanitation requirements stated in the CDC Guidelines in order to minimize the risk of a dramatic increase in infections that might overwhelm the available public health resources and require reclosure of amenities and businesses; and

WHEREAS, on June 15, 2020, the CDC issued updated Guidance titled “Venturing Out? Be Prepared and Stay Safe” where the CDC stated “[b]eing in a group with people who aren’t social distancing or wearing cloth face coverings” increases your risk” of contracting COVID-19; and

which recommends keeping on hand “a cloth face covering, tissues, and a hand sanitizer with at least 60% alcohol” when venturing out, and

WHEREAS, the CDC advises that a significant portion of individuals with coronavirus lack symptoms (“asymptomatic”) and that even those who eventually develop symptoms (“pre-symptomatic”) can transmit the virus to others before showing symptoms. This means that the virus can spread between people interacting in close proximity—for example, speaking, coughing, or sneezing—even if those people are not exhibiting symptoms; and

WHEREAS, despite several protective measures taken by the State, Monroe County, and the City of Key West, the infection rates have increased; and

WHEREAS, state and local officials from Miami-Dade, Broward and Palm Beach Counties have recognized that those three counties have seen the gravest infection rates of the State; and

WHEREAS, Miami-Dade County is immediately adjacent to Monroe County and Broward County and Palm Beach County are geographically located immediately north of Miami-Dade County; and

WHEREAS, according to Monroe County and representatives of the Monroe County Tourist Development Council, much of the summer tourism market in the Keys stems from residents of Miami-Dade, Broward, and Palm Beach counties; and

WHEREAS, the Florida Fish & Wildlife Commission (FWC) has established a yearly 2-day sport season for recreational harvest of spiny lobster which begins on Wednesday, July 29, 2020 and concludes on Thursday, July 30, 2020, with the regular season of recreational and commercial harvest of spiny lobster commencing on August 6, 2020; and

WHEREAS, FWC has advised Monroe County that, by far, Monroe County is the county most impacted by mini-season in terms of the number of people participating in the season; and

WHEREAS, experience has demonstrated that the annual mini-lobster season attracts a large number of visitors to Monroe County; and

WHEREAS, while the actual act of harvesting of lobster involves scuba diving, free diving, snorkeling, and bully netting, activities that are not anticipated to directly facilitate the spread of the virus, many of the people doing the harvesting will engage in social activities in off-hours that risk the community spread of the virus, including the patronizing of local business establishments; and

WHEREAS, as of July 24, 2020, City of Key Largo, City of Islamorada, City of Marathon and Monroe County had all issued announcements stating that the public boat ramps in the Upper Keys and within those municipalities would either be closed entirely or remain open only to local residents and certain guests during lobster mini-season and the start of the regular lobster season; and

WHEREAS, the City has issued eighteen 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; and

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, mitigating the effects of COVID-19 and protecting the health of its citizens and visitors is a high priority of the City of Key West and minimization of social contact is necessary to avoid risk of COVID-19 infection for citizens and visitors of the City; and

WHEREAS, the City finds that the inconvenience of a directive requiring the temporary closures of the City's boat ramps with certain exceptions is minimal compared to the risk to the health, safety, and welfare of the community; and

WHEREAS, it is necessary and appropriate to take action to ensure that COVID-19 remains controlled, that measures are put in place to prevent and/or curb additional infections, 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 and slowing the spread of COVID-19, given a recent increase in positive reported cases of COVID-19 within the City of Key West.

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

A. Beginning 12:01 am, Wednesday, July 29, 2020, and ending on 11:59 p.m., Thursday, July 30, 2020, all City of Key West Boat Ramps, i.e., Simonton Street Beach Boat Ramp, Garrison Bight City Marina Boat Ramp, and City of Key West 11th Street and Riviera Boat Ramp, shall be closed to the public except for the following exceptions:

1. *Garrison Bight City Marina Boat Ramp* shall only be open to City of Key West Residents and Guests of City of Key West hotels and vacation rentals/timeshares during the hours of 6:00 a.m. to 8:00 p.m. The Boat Ramp shall remain closed to the public at all other times. Residents must present proof of residency in the form of a driver's license, deed, lease or rental agreement. Guests of City of Key West hotels and vacation rentals must provide proof of stay in the form of a hotel receipt/bill or lease or deed (if timeshare owner occupant).
2. *The City of Key West 11th Street Boat Ramp* located at the corner of 11th Street and Riviera Drive shall be open to City of Key West Residents only during the hours of 6:00 a.m. to 8:00 p.m. The Boat Ramp shall remain closed to the public at all other times. Residents must present proof of residency in the form of a driver's license only.

B. Any individual or business establishment who violates this directive is subject to the charges, fines and penalties in section C.

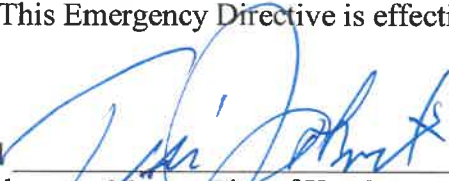
C. This Emergency Directive shall be enforced under section 252.47, Florida Statutes. Violation of this order is a second-degree misdemeanor pursuant to section 252.50, Florida Statutes, and is punishable by imprisonment not to exceed 60 days, a fine not to exceed \$500, or both.

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 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. If any provision herein, or portion thereof, is held to be invalid or unenforceable by a court of competent jurisdiction, the remainder of this directive shall continue in full force and effect.

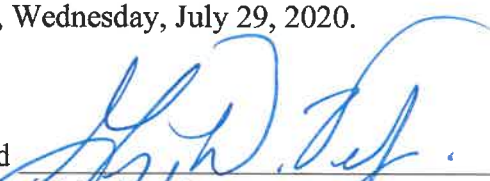
F. The conditions specified herein shall be assessed daily and this Directive shall remain in effect until superseded, repealed or upon expiration of the local state of emergency, including any extensions thereof.

G. This Emergency Directive is effective 12:01 am, Wednesday, July 29, 2020.

Signed   
Teri Johnston, Mayor, City of Key West

Date: 7-24-20

Time: 2:40 PM

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

Date: 7/24/20

Time: 2:50 p.m.