

VILLAGE OF KEY BISCAWAYNE, FLORIDA
OFFICE OF THE VILLAGE MANAGER
AMENDMENT 1 to EMERGENCY ORDER 20-11

Date: July 2, 2020

By virtue of the powers and duties vested in me as the Village Manager of the Village of Key Biscayne, Miami-Dade County, Florida, in accordance with Section 252.38 of the Florida Statutes, Chapter 9 of the Village Code, and Resolution No. 2019-55 of the Village of Key Biscayne Village Council adopting the Village's Comprehensive Emergency Management Plan, and pursuant to the Village's Declaration of a State of Emergency issued at 4:20 p.m. March 13, 2020, I hereby find that given the recent increase in COVID-19 cases it would further mitigate the spread of the virus and serve the health, safety and welfare of the residents of Key Biscayne to declare the following:

Emergency Order 20-11 is replaced in its entirety with the following:

1. 1. Masks or Facial Coverings. The Village, pursuant to Section 9-5(g) of the Village Code, adopts Amendment No. 1 to Miami-Dade County Emergency Order No. 20-20 relating to masks or facial coverings, which is attached hereto as Exhibit A.
2. ~~Facial Covering Mandated. Except as otherwise provided herein, all persons within the Village are required to wear a facial covering at all times while not in a private home or domicile.~~
3. ~~Exceptions. The following persons shall not be required to wear a facial covering:~~
 - ~~A child under two years of age;~~
 - ~~An individual who is engaged in outdoor work or exercising with appropriate social distancing in place;~~
 - ~~An individual who has one or more medical conditions or disabilities that prevent wearing a facial covering;~~
 - ~~An individual who is obtaining a service involving the nose or face for which temporary removal of the facial covering is necessary to perform the service;~~
 - ~~An individual who works in a profession where use of a facial covering will not be compatible with the duties of the profession;~~
 - ~~An individual who is eating or drinking; and~~
 - ~~An individual who is hearing impaired or an individual who is communicating with an individual who is hearing impaired.~~
4. ~~Use of Masks. Persons choosing to use masks are encouraged to review and comply with CDC and Florida Department of Health guidelines on personal protective equipment. Persons should not utilize N95 or equivalent/higher rated masks, as those are critical supplies for health care workers, police, fire, emergency management, or other persons engaged in life/safety activities.~~

- 5- 2. Enforcement. Pursuant to Section 9-5(g) of the Village Code, the Village elects to adopt all Miami-Dade County and State Emergency/Executive Orders, as amended. All Miami-Dade County and State of Florida Emergency/Executive Orders shall be strictly adhered to and enforceable pursuant to applicable law.
- 6- 3. Conflicts. All emergency orders or parts of orders, in conflict with this Emergency Order, are repealed to the extent of such conflict.

Accordingly, I hereby issue this Emergency Order relating to masks or facial coverings within the jurisdictional limits of the Village of Key Biscayne **beginning on July, 3, 2020 and continuing until the expiration of Miami-Dade County Emergency Order 20-20, as amended**, unless extended by the Village Manager. No person shall violate the terms of this Emergency Order, except upon direct authorization of the Village of Key Biscayne Police Department. Any violation of this Emergency Order shall be subject to fine and arrest. In addition, any business that allows a person to violate this Emergency Order may be subject to closure. This Emergency Order shall expire as provided herein. This Emergency Order may be cancelled earlier by action of the Village Manager.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Village of Key Biscayne to be affixed this 2nd day of July, 2020 at 3:00 p.m. (EST).

AMA

ANDREA M. AGHA, VILLAGE MANAGER

ATTEST:



PETER J. KULPA, INTERIM VILLAGE CLERK

