



EMERGENCY ORDER 11 AND SUPPLEMENT TO DECLARED STATE OF EMERGENCY

WHEREAS, on March 12, 2020, the City Manager of the City of Sunny Isles Beach (“City”) declared a Local Emergency as a result of COVID-19; and

WHEREAS, the City Manager has extended the declared state of Local Emergency every seven (7) days since that date; and

WHEREAS, according to the Centers for Disease Control (“CDC”), COVID-19 spreads mainly from person to person through respiratory droplets produced when an infected person coughs, sneezes, or talks. These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs; and

WHEREAS, many persons infected by COVID-19 are contagious while they are asymptomatic, and can therefore spread the disease unwittingly; and

WHEREAS, prolonged close contact between people enhances the risk of spreading COVID-19; and

WHEREAS, COVID-19 cases have recently spread rapidly in Miami-Dade County; and

WHEREAS, the increasing effects of COVID-19 continue to require immediate and extraordinary actions by the City in order to protect the safety, health, and welfare of the public due to the propensity of COVID-19 to spread person to person; and

WHEREAS, COVID-19 poses a health risk to City residents and visitors, particularly those who are elderly, immunosuppressed or otherwise have high-risk medical conditions; and

WHEREAS, the long-term effects of COVID-19 on persons who recover are currently unknown; and

WHEREAS, hospital capacity and medical availability is diminishing as COVID-19 patients require hospitalization, which will limit the ability of hospitals to perform elective medical procedures and may impact the delivery of life saving services; and

WHEREAS, on July 7, 2020, Miami-Dade County issued Amendment 02 to Emergency Order 26-20, which provided, among other things, a prohibition of new rental agreements for Short-Term Vacation Rentals, except for on a monthly basis, citing as evidence that County residents and visitors are increasingly using such short term vacation rentals as “party houses” at which many individuals congregate in prolonged close contact; and

WHEREAS, on July 9, 2020, the City issued Emergency Order 10, requiring all persons or entities throughout the City who operate a Short-Term Vacation Rental, as defined in Chapter 217 of the City’s Code of Ordinances, shall provide the City with the documentation listed therein, to aid

the City in enforcement of the rental duration limitations of Amendment 02 to Miami Dade County's Emergency Order 26-20; and

WHEREAS, on August 5, 2020, Miami-Dade County issued Amendment 03 to Emergency Order 26-20, providing that short-term vacation rentals, where otherwise permitted, that are located in any structure operated whole or in part of as a hotel or a condominium, may accept daily rentals, as those short-term vacation rentals are not commonly used for large gatherings and parties; and

WHEREAS, in line with Amendment 03 to Miami-Dade County's Emergency Order 26-20, which eliminates rental duration limitations on short-term vacation rentals in hotels or condominiums, the City wishes to amend its Emergency Order 10 to clarify that short-term vacation rentals in hotels or condominiums need not comply with the documentation requirements of the City's Emergency Order 10; and

WHEREAS, in order to protect the life, safety, and welfare of the City's residents and visitors, the City will continue to require that individuals and entities operating short-term vacation rentals in single-family, townhouse, and duplex dwelling units within the City to provide documentation to the City proving compliance with Miami-Dade County Emergency Order 26-20, as amended; and

WHEREAS, in accordance with Section (A)(7) of Amendment 03 to Miami-Dade County Emergency Order 26-20, the City of Sunny Isles Beach can impose more stringent standards within the City than are set forth in the County Emergency Order 26-20, as amended.

NOW, THEREFORE, IT IS HEREBY DECLARED AND ORDERED AS FOLLOWS:

1. Findings.
 - A. The foregoing recitals are hereby adopted and incorporated herein by reference.
 - B. The detailed findings of Miami-Dade County Mayor Gimenez as contained in Miami-Dade County Emergency Order 26-20, and all amendments thereto, are incorporated herein by reference.

2. Section 2 of Emergency Order 10, is hereby amended as follows:
 - A. All persons or entities throughout the City of Sunny Isles Beach who operate a Short-Term Vacation Rental, as defined in Chapter 217 of the City's Code of Ordinances, in single-family, townhouse, and duplex dwelling units, shall provide the following documentation to the City's Planning & Zoning Department via email at infopz@sibfl.net, for each instance that the dwelling is rented:
 - i. A copy of the lease or rental agreement for each rental period reflecting the duration of the rental period for all agreements that are entered into on or after July 9, 2020; and
 - B. The documentation required under subparagraph (2)(A)(i) shall be submitted to the City no less than forty-eight (48) hours prior to the first day of the given rental period.

3. The balance of Emergency Order 10 remains in full force and effect.

4. This order shall be effective as of 12:01 a.m., August 8, 2020, and shall expire upon the expiration of Amendment 03 to Miami-Dade County's Emergency Order 26-20, unless terminated earlier by the City Manager.

Dated: August 7, 2020

By: 
Christopher J. Russo, City Manager
City of Sunny Isles Beach, FL