



City of North Miami Beach, Florida

Office of the City Manager

TO: The Honorable Mayor and City Commission

CC: Daniel A. Espino, Weiss Serota Helfman, City Attorney
Andrise Bernard, City Clerk
Department Directors

FROM: Esmond K. Scott, City Manager
William Hernandez, Chief of Police

DATE: March 25, 2020

SUBJECT: **Emergency Order No. 3 - Additional Emergency Measures Regarding Short-Term Vacation Rentals**

CITY OF NORTH MIAMI BEACH EMERGENCY ORDER STOPPING SHORT-TERM VACATION RENTALS

On March 11, 2020, the Miami-Dade County Mayor declared a public health emergency in Miami-Dade County (the "County"), as a result of mounting presumptive positive cases of COVID-19. The City of North Miami Beach (the "City") similarly issued its own emergency declaration on March 12, 2020 for an initial seven (7) day period and extended the emergency with a second declaration on March 20, 2020.

On March 21, 2020, the County issued Emergency Order 09-20, which directed commercial lodging establishments to stop accepting new reservations other than for Essential Lodgers (as defined in that order) and reduced occupancy limits for short-term vacation rentals ("STVR"). On March 25, 2020, the County amended Emergency Order 09-20 to prohibit commercial lodging establishments and STVRs from "(i) accept[ing] any occupants, regardless of when reservations were made, or (ii) extend[ing] reservations for persons other than Essential Lodgers," commencing on March 26, 2020. The County orders allow municipalities to provide orders that are more stringent.

The City, like much of the County, continues to see an influx of travelers and visitors to the area. The City is also seeing individuals congregating without observing social distancing guidelines recommended by the Center for Disease Control, the State of Florida, the County, and the City, in their respective orders. To ensure the City continues to advance safety measures for the benefit of its residents and all of Miami-Dade County, the City Manager has issued the following additional emergency orders:

- STVRs in the City are hereby ordered to stop operations as of March 26, 2020, except as specified herein.

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- STVRs shall not accept any new reservations for any person other than those identified as, and confirmed to be, Essential Lodgers, as defined in County Emergency Order 09-20.
- Existing STVR reservations that may have begun prior to the effective date of this Order and would end thereafter shall be cancelled, unless the patron(s) is an Essential Lodger.
- STVRs shall not extend any existing reservation for any person other than those identified as, and confirmed to be, Essential Lodgers.
- Otherwise, STVRs shall cancel all existing reservations for stays beginning on or after March 26, 2020 and beyond, so long as the Emergency Declaration is in place.
- For existing STVR reservations, the maximum daytime and overnight occupancy for short-term vacation rentals shall be up to two persons per bedroom, plus two additional persons per property, not to exceed 10 persons.

Any violation of these emergency measure(s) shall subject the individual, operator, business entity, or organization to arrest and criminal prosecution, as well as prosecution as a Code Violation pursuant to the City's Code of Ordinances.