



**City of North Miami Beach, Florida**  
**Office of the City Manager**

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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 *EKS*  
William Hernandez, Chief of Police

DATE: July 21, 2020

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SUBJECT: **Emergency Order No. 9:** Additional Emergency Measures Regarding Short-Term Vacation Rentals & Assemblies in Residential Properties

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**CITY OF NORTH MIAMI BEACH EMERGENCY ORDER STOPPING  
SHORT-TERM VACATION RENTALS & ASSEMBLIES IN RESIDENTIAL PROPERTIES**

On March 11, 2020, 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 (the "Emergency Declaration"). Extensions of the Emergency Declaration commenced with a second declaration on March 20, 2020 with consecutive extensions ordered every seven (7) days since then.

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. Since March, Miami-Dade County has seen a resurgence of COVID-19 with record numbers of infected individuals; while the County has eased various orders, the City finds the need to issue a more stringent order to protect the health safety and welfare of the community.

The City, like much of the County, especially now in the summer, 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

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Centers for Disease Control, the State of Florida, and the County and City, in their respective orders. Pursuant to Chapter 252, Florida Statutes, Section 2-29 of the City Code of Ordinances, and the City Emergency Order, and in order 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 effective as of the date of the order:

1. Commencing on July 16, 2020 at 12:01 a.m., short-term rentals of less than 30 days shall be **CLOSED**, and are hereby expressly **PROHIBITED**. Property owners of such short-term rentals shall cancel all existing reservations, and shall refrain from advertising, accepting new guests, or making new reservations until such time as this Order expires or is otherwise amended. Any individual currently occupying a short-term rental shall vacate the premises within 72 hours of the effective date of this Order.
2. All gatherings of more than ten (10) individuals, gathered at a residential property, whether single-family or multi-family, and whether indoors and/or outdoors, are hereby prohibited, except for individuals cohabitating in a single residence that can appropriately accommodate the individuals as per the Florida Building Code and/or applicable occupancy load. Any person present at any gathering in violation of the limitations of this section shall be individually liable for a violation of this Emergency Order and subject to all applicable civil and criminal penalties. The owner(s), operators, and landlords are individually liable for any prohibited gathering that occurs on their property, regardless of whether such persons are in residence or on site at the time of the violation.

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.