



County Commission Meeting
September 8, 2020
Agenda Item Number: B.1
Agenda Item Summary #7244

BULK ITEM: No

DEPARTMENT: County Attorney's Office

TIME APPROXIMATE:
5:05 P.M. PUBLIC HEARING

STAFF CONTACT: Bob Shillinger (305) 292-3470

AGENDA ITEM WORDING: A public hearing to consider amendments to Ordinance No. 026-2020 (amended mask ordinance adopted 8/19/20) and Ordinance No. 027-2020 (bar/restaurant closures/alcohol sales ban extended following lobster mini season as adopted 8/19/20) in response to COVID-19 pandemic.

ITEM BACKGROUND: In response to the COVID19 pandemic, the Board has adopted two basic emergency ordinances, one requiring facial coverings and a second closing bars and restaurants and restricting packaged sales of alcohol. Both COVID-19 related ordinances have been amended several times since originally adopted to address specific COVID-related issues, with the most recent amendment at the public hearing held 8/19/20 resulting in adoption of Ordinance No. 026-2020 amending Ordinance No. 024-2020 (requiring face coverings) Ordinance No. 027-2020 (bar/restaurant closures and alcohol sales ban). This item is being placed on the agenda to allow the Board to modify either or both ordinances as conditions warrant.

PREVIOUS RELEVANT BOCC ACTION:

8/19/20 (Q-1) Board adopted *Ordinance No. 026-2020* amending Ordinance No. 014-2020, as amended by *Ordinance No. 022-2020* and *Ordinance No. 024-2020*, clarifying when face coverings are required.

Board adopted *Ordinance No. 027-2020* amending *Ordinance No. 023-2020*, as amended by *Ordinance No. 025-2020*, extending sunset date to Monday, 9/7/20 at 11 PM but mandating bar, restaurant and food service establishments closure hours start at 12 AM until 5 AM starting at 12 AM on August 19, 2020 and ending at 5 AM on September 7, 2020; prohibiting alcohol sales from 12 AM until 7 AM each day starting at 12 AM on August 19, 2020 and ending at 7 AM on September 7, 2020.

7/27/20 (H-1) Board adopted *Ordinance No. 025-2020* amending *Ordinance No. 023-2020*

allowing restaurants to sell food to customers through drive through, delivery and/or curbside services during the hours of 11 PM and 5 AM; providing a no contest fine of \$250 in lieu of contesting an issued citation

- 7/21/20 (C-1)** Special Meeting was called by the Mayor to discuss possible cancellation of mini-season and possible additional protective measures due the continued increase in COVID-19 cases; Board adopted an emergency ordinance amending *Ordinance No. 024-2020*, as amended by *Ordinance No. 022-2020* (adopted 7/15/20 to address closure and sanitization of a business when an employee of a business tests positive for COVID-19; providing a no contest fine of \$250 in lieu of contesting an issued citation
- 7/15/20 (P-12)** Board adopted *Emergency Ordinance No. 023-2020* setting closure dates and times for bars, restaurants and food service establishments and dates/times banning the sale of alcohol
- 7/15/20 (P-10)** Board adopted *Ordinance No. 022-2020* amending *Ordinance No. 014-2020* adding criminal enforcement actions, making previously recommended actions mandatory, etc.
- 7/8/20 (D)** As a result of discussion re: COVID-19 during Commissioner's Comments, the Board directed the County Attorney to draft ordinance regarding protective measures in response to the increase in COVID-19 cases
- 6/17/20 (O-11)** Board adopted *Ordinance No. 014-2020* requiring facial coverings and setting forth enforcement measures

CONTRACT/AGREEMENT CHANGES:

n/a

STAFF RECOMMENDATION: N/A

DOCUMENTATION:

Ordinance No. 026-2020 amending Ordinance No. 024-2020 (COVID req face covering) BOCC 8 19 20 (Q1)

Ordinance No. 027-2020 amending Ordinance No. 025-2020 (COVID - bar/restaurant closures; ba alcohol sales) BOCC 8 19 20 (Q1)

Notice of Intention to Consider Adoption of County Ordinances amending COVID 19 ordinances (with POP: Keys Weekly)

FINANCIAL IMPACT:

<p>Effective Date: TBD Expiration Date: TBD</p>

Total Dollar Value of Contract: n/a
Total Cost to County: Advertising Costs
Current Year Portion: n/a
Budgeted: Yes
Source of Funds: n/a
CPI: n/a
Indirect Costs: n/a
Estimated Ongoing Costs Not Included in above dollar amounts: n/a

Revenue Producing: **If yes, amount:**
Grant:
County Match:
Insurance Required:

Additional Details:

n/a

REVIEWED BY:

Bob Shillinger	Completed	08/24/2020 11:12 AM
Kathy Peters	Completed	08/24/2020 12:28 PM
Board of County Commissioners	Pending	09/08/2020 5:05 PM