

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2020-

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AMENDING CHAPTER 62, ARTICLE VII "SPECIAL EVENTS AND PARADES," SECTION 62-303 "COVID-19 EMERGENCY BUSINESS RECOVERY SPECIAL EVENT PERMIT" OF THE CITY CODE TO EXTEND ITS APPLICABILITY AND EXPIRATION THROUGH JANUARY 15, 2022 IN ORDER TO SAFELY CONTINUE TO EXPAND ECONOMIC OPPORTUNITIES TO BUSINESSES IN THE CITY IMPACTED BY THE COVID-19 PANDEMIC; PROVIDING FOR SEVERABILITY, REPEALER, AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in response to the Novel Coronavirus Disease-2019 ("COVID-19"), on March 12, 2020, Mayor Raúl Valdés-Fauli declared a state of emergency ("Declaration") for the City of Coral Gables, Florida (the "City"); and

WHEREAS, on June 9, 2020, the City Commission adopted Emergency Ordinance No. 2020-18, creating Section 62-203 "Covid-19 Emergency Business Recovery Special Event Permit" to provide a streamlined and expedited process for review and approval of special events organized to enhance economic opportunities for businesses impacted by COVID-19, waive the application fee for such special event applications, and relax other requirements; and

WHEREAS, Section 62-203(d) provides that it shall be valid and applicable to Covid-19 recovery special events scheduled through January 15, 2021 and that the section shall expire on January 15, 2021; and

WHEREAS, the City Commission, pursuant to Ordinance No. 2021-03, extended the deadline for the applicability and expiration of Section 62-203(d) through June 15, 2021; and

WHEREAS, the City Commission acknowledges that the expansion of such authority has been a successful measure to allow affected establishments to maximize their ability to serve patrons while implementing social distancing measures and that the expanded opportunities have been well-received in the community; and

WHEREAS, given that the Declaration remains in effect and that establishments in the City continue to seek effective ways of implementing social distancing measures, the City Commission acknowledges the need to provide for such a streamlined process for special events and wishes to extend the deadline for the applicability and expiration of Section 62-203(d) through January 15, 2022; and

WHEREAS, the City Commission finds that this ordinance does not impose restrictions or mandates upon businesses or individuals due to the COVID-19 emergency and instead,

expands economic opportunities for businesses, and as such, is in compliance with the Governor's Executive Order No. 21-102.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon the adoption hereof.

SECTION 2. The Code of Ordinances of the City of Coral Gables is hereby amended as follows^a:

Chapter 62-STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

ARTICLE VII. SPECIAL EVENTS AND PARADES

DIVISION 2.-PERMIT

Section 62-303 Covid-19 Emergency Business Recovery Special Event Permit

(a) For purposes of this section, the following definitions shall apply:

Covid-19 emergency means the pandemic and public health crisis related to the Novel Coronavirus Disease-2019 which resulted in the issuance of various emergency orders by the State of Florida, Miami-Dade County, and the City which ordered the temporary closure of certain businesses and establishments and set forth strict re-opening conditions on a phased basis, including reduced indoor capacity and social distancing measures.

Covid-19 recovery special event shall mean a special event as defined in this article organized to enhance economic opportunities for a business or other establishment in the City impacted by the Covid 19 emergency. It shall not include other special events unrelated to the impact of the Covid-19 emergency.

(b) The City Manager is authorized to establish an expedited application and permitting process, which may include a relaxation of certain special events standards, for Covid-19 recovery special events, provided that at all times, any Covid-19 recovery special event shall comply with the requirements of the Florida Building Code, Americans with Disabilities Act, general life safety standards, and all Covid-19 regulations, including social distancing measures, set forth in state, county, and local laws, including all applicable emergency orders.

^a Deletions are indicated by ~~strikethrough~~. Insertions are indicated by underline.

- (c) The City Manager is specifically authorized to relax certain requirements for Covid-19 recovery special events, as follows:
- (1) *Application.* The City Manager is authorized, at his discretion, to prepare a simplified permit application form specifically for Covid-19 recovery special events. The City Manager retains the authority to require an applicant to submit an application that includes all of the contents set forth in Section 62-289 if necessary for appropriate review of a proposed Covid-19 recovery special event.
 - (2) *Time limitation for application.* The City Manager is authorized to accept permit applications within a reasonable time before the proposed Covid-19 recovery special event to allow for appropriate review and determination.
 - (3) *Review and approval of permit applications.* Completed applications for Covid-19 recovery special events shall be routed internally by staff for concurrent review and approval or denial by the chief of police, the fire chief, and the director of any other department as determined by the director of parks and recreation/community recreation. In relation to Covid-19 recovery special events only, all of the functions delegated to the special events and parades staff committee set forth in this article are delegated to the City Manager or his or her designee. The applicant shall not be required to appear at a pre-permit coordination meeting, unless required by the director of parks and recreation/community recreation. In reviewing a permit application for a Covid-19 recovery special event, the standards and criteria for approval of application set forth in Section 62-291 shall be considered by the appropriate reviewers and applied in order to impose any appropriate conditions or restrictions on the Covid-19 recovery special event permit.
 - (4) *Determination of time specified area will be used; maximum length of events; location and time of events.* The City Manager, or his or her designee, is authorized to relax the limitations set forth in section 62-260 as to the time that a specific area may be utilized and the maximum length of events (including the allowable days of the week that special events may be allowed).
 - (5) *Fees.* There shall be no application fee for a Covid-19 recovery special event permit application. However, all fees for city services, including but not limited to cost of all police services as determined by the chief of police, costs of site plan and traffic plan, and performance bond requirements set forth in section 62-293(c), (d), and (e) shall apply. The City Manager retains the authority to waive or reduce fees or the performance bond requirement as provided section 62-293(f).
 - (6) *Contents of permit.* The Covid-19 recovery special event permit shall include the information set forth in Section 62-301, as well as any other additional information or conditions necessary to ensure the Covid-19 recovery special event complies with all social distancing regulations in place pursuant to state, local, or city laws, including emergency orders.
 - (7) *All other requirements for special events apply.* Unless otherwise addressed in this section, all other requirements for special events shall apply to Covid-19 recovery special events.
- (d) The provisions set forth in this section shall be valid and applicable to Covid-19 recovery special events scheduled through ~~June 15, 2021~~ January 15, 2022. This section shall expire on ~~June 15, 2021~~ January 15, 2022.

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase, or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the City Code, which provisions may be renumbered or re-lettered and the word ordinance be changed to “section”, “article”, or other appropriate word to accomplish such intention.

SECTION 6. If the City Code’s Tables of Contents, Supplemental History Table, or other reference portions are affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 7. This Ordinance shall become effective upon the date of its adoption and shall expire on January 15, 2022.

PASSED AND ADOPTED THIS _____ OF MAY, A.D., 2021.

(Moved: / Seconded:)
(Yeas: / Nays:)
(Vote:)
(Agenda Item:)

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BILLY Y. URQUIA
CITY CLERK

MIRIAM SOLER RAMOS
CITY ATTORNEY