

County of Monroe
The Florida Keys



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MONROE COUNTY EMERGENCY MANAGEMENT
EMERGENCY DIRECTIVE 20-04
April 7, 2020

SUBJECT: Airport Screenings

WHEREAS, Section 252.38(3)(a), Florida Statutes, gives political subdivisions the authority to declare and enact a State of Local Emergency for a period of up to seven days, thereby waiving the procedures and formalities otherwise required of the political subdivision by law; and

WHEREAS, on March 1, 2020, the Governor of Florida issued Executive Order Number 20-51, directing the State Health Officer and Surgeon General to declare a Public Health Emergency due to the discovery of COVID-19/novel Coronavirus in Florida; and

WHEREAS, on March 9, 2020, the Governor of Florida issued Executive Order Number 20-52, declaring a State of Emergency for the state of Florida related to COVID-19/novel Coronavirus; and

WHEREAS, on March 15, 2020, the County Mayor declared a State of Emergency for all of Monroe County; and

WHEREAS, COVID-19/novel Coronavirus poses a health risk to Monroe County residents, particularly elderly residents and those who are immunosuppressed or otherwise have high-risk medical conditions; and

WHEREAS, minimization of contact is necessary to avoid risk of COVID-19 infection for the residents of the County; and

WHEREAS, the Centers for Disease Control (CDC) has issued guidance entitled "15 Days to Slow the Spread," encouraging social distancing and maintaining a 6 foot separation between residents to slow the spread of infection and that events with more than ten attendees either be cancelled or held virtually; and

WHEREAS, the CDC guidelines are based upon the amount of community spread within a community and become more stringent where there is minimal to moderate or substantial community spread; and

WHEREAS, in order to protect the health, safety, and welfare of the residents of Monroe County, on March 20, 2020, the Emergency Management Director issued Emergency Directive 20-02, which closed the County to tourists and other leisure travelers; and

WHEREAS, due to the intensity of COVID-19 in other hot spots in the nation, the Governor has imposed additional screening measures for travelers departing from hot spots, *see*, Executive Orders 2020-80, 2020-82, and 2020-86; and

WHEREAS, due to the intensity of COVID-19 in Miami-Dade and Broward Counties, the Governor has imposed heightened restrictions on residents and businesses in those two counties, *see*, Executive Order 2020-70;

WHEREAS, Miami-Dade is the county to the immediate north of Monroe County with the only means of land access into the populated portion of Monroe County via U.S. 1 and Card Sound Road; and

WHEREAS, due to the intensity of COVID-19 community spread in Miami-Dade County, the Mayor of Miami-Dade County has taken a series of steps to curtail the spread of the virus by prohibiting gatherings by boaters or “rafting” (Miami-Dade Executive Order 8-20), and closing non-essential businesses (Miami-Dade Executive Order 7-20, as amended), closing parks, beaches, and recreational facilities (06-20, as amended), and gatherings of groups of 10 or more people in public (10-20); and

WHEREAS, on March 20, 2020, the Emergency Management Director issued Emergency Directive 20-02, which closed the County to tourists and other leisure travelers; and

WHEREAS, the aforementioned closures in Miami-Dade County have cause residents there to travel to Monroe County in violation of Monroe County Executive Directive 20-02, banning leisure travel and tourists, and

WHEREAS, on March 26, 2020, the Emergency Management Director issued Emergency Directive 20-03 that directed the Sheriff to initiate check points at the Monroe County line with Miami-Dade County to screen out unauthorized leisure travelers from entry into the County in violation of Directive 20-02; and

WHEREAS, on April 6, 2020, the Governor’s General Counsel advised the County Attorney that Executive Orders 2020-80, 2020-82, and 2020-86 authorize the County to conduct screening on all in bound air travelers on both commercial and general aviation flights except for those exempted from screening in Section 1.A of Executive 2020-86, as incorporated by Section 4 of Executive Order 2020-86 into Executive Orders 2020-80 and 2020-82; and

WHEREAS, the aforementioned exemptions include persons performing military, emergency, health or infrastructure response, or persons involved in any commercial activity; and

WHEREAS, airport staff will interview passengers to determine eligibility of screening travelers; and

WHEREAS, all passengers, regardless of purpose of travel, run the risk of being exposed to COVID19; and

WHEREAS, FAA regulations direct airport operators to not discriminate against any type of air carrier; and

WHEREAS, FAA Grant Assurance 22(h) provides that an airport sponsor, Monroe County, may establish such reasonable, and not unjustly discriminatory conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.

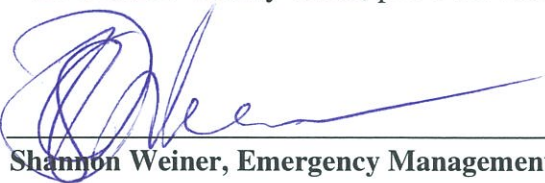
WHEREAS, for the foregoing reasons, it is imperative that all inbound passengers be screened for COVID19 under protocols developed by the Health Department; and

WHEREAS, section 11-3(4)a of the Monroe County Code authorizes the Monroe County Emergency Management Director to issue directives having the force of law.

NOW THEREFORE, as Monroe County Emergency Management Director, I hereby order the following:

1. All persons arriving by aircraft who deplane at Key West International Airport and the Florida Keys Marathon International Airport shall be screened for COVID19 using protocols developed by the Monroe County Health Department as approved by the Director of Airports.
2. Screenings may be conducted by personnel of the Monroe County Health Department, Monroe County Fire Rescue Department, and, when requested by the Monroe County Fire Chief, personnel of any municipal fire department as approved by the Director of Airports.
3. Each person screened shall isolate or quarantine at that person's own expense for a period of 14 days or the duration of that persons stay in the County, whichever is shorter.
4. All persons screened shall be provided with a copy of this Directive.
5. Violations of this order shall be punishable pursuant to F.S. 252.50, with a period of incarceration of up to 60 days in jail and a fine of up to \$500.00. Additional charges may be prosecuted if other statutes are violated.
6. This directive shall take effect on Wednesday, April 8, 2020, at 12:00 p.m., after filing with the Monroe County Clerk, per F.S. 252.46(2).

Signed:


Shannon Weiner, Emergency Management Director

Date: April 7, 2020 Time:



Approved as to form and legal sufficiency in advance.

Robert B. Shillinger, Monroe County Attorney