

# Operational Manual

BS"D

## I. Rabbi P.A. Weberman *zt"* / Eruv (RPWE)

BERNARDO COIFFMAN

BS"D

## Index

Administration .....	4
Controversy	
Docks.....	21
Eruvin in large urban areas .....	3
Guidelines to Maintaining the Eruv.....	5
Halachic Principals and Terminology.....	9
Introduction .....	3
Mechitzos .....	12
The Eruv Construction .....	4

## Appendix

Includes insurance, piskei halacha, and other important information

## I. Rabbi P.A. Weberman *zt"l* Eruv (RPWE) Operational Manual<sup>1</sup>

An Eruv is a boundary that is created around a Jewish community in order to allow certain activities to take place on the Sabbath that would otherwise be prohibited. The following is an operational manual for maintaining an Eruv within the Jewish community of Miami Beach, Surfside, Bay Harbour, North Bay Village and Bal Harbor. We follow the P'sak Din from Rabbi P.A. Weberman *zt"l*, and we have included sources in the addendums in case discussions arise.

## II. ERUVIN IN LARGE URBAN AREAS

There has also been much debate in the *poskim* about the appropriateness of creating an Eruv around large metropolitan areas. For most of our history, Jewish communities were generally located in smaller areas, where the various halachic issues could be more easily accommodated. With the migration of large Jewish populations into major metropolitan areas, a debate arose among the *poskim* whether it is appropriate to create an Eruv over large areas with great populations and concerning the associated problems of maintaining an Eruv with long perimeters.

Ray Moshe Feinstein *zt"l*, who is considered the foremost *posek* in modern times, resisted the establishment of an Eruv in Manhattan. He argued that besides the halachic issues involved, people who come from areas which could not make Eruvin for technical reasons would carry because they would forget entirely about the problems of carrying on Shabbos if the Eruv was established.

Aside from the halachic issue of *reshus harabim*, given the severity of transgressing the Shabbos and the practical difficulties of building, maintaining and ensuring people are aware of the kashrus of the eruv on a weekly basis, building an urban Eruv is a daunting task.

On the other hand, the making of an Eruv is a big mitzvah, because a proper Eruv saves people from violating Hilchos Shabbos and enhances Oneg Shabbos, especially for people with small children or other needs which require them to carry on Shabbos. Many *poskim* actually made it incumbent upon the local Rav to ensure that there is a

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<sup>1</sup> This manual was not written for general consumption. It is not a makor for piskei halacha. The expected readership of this document consists of local lay leaders who will be directing the construction and maintenance of the RPWE and the few baalei-batim they will enlist to help. I have assumed that the reader has a minimum background in Torah study and have included in Appendix 1 a full list of terminology. In many situations this manual directs the reader to the Rav Hechsher. Currently it is Rav Yisrael Weberman. Eruvin is a halachic specialty and not every rabbi is competent to render decisions in questionable areas. Questions should be submitted to a Rav who is known to be proficient in his specialty. No person should modify the Eruv without thorough, constant and close supervision of the Rav Hamchsher.

proper Eruv in his community. These sometimes-conflicting imperatives have generated much controversy and debate. In our case, Rabbi Weberman *zt"l* was insistent that the Eruv cover as much an area as possible because Eruv means mixing, and it mixes the community into a single entity. Additionally, it even helps our nonobservant brothers from C"V desecrating the Shabbos by carrying, besides helping those in wheelchairs and with baby strollers to go to Shul. He was known to say that just as the lulav we shake on Succos pushes away the bad winds, so does the Eruv. I can personally attest that many hurricanes have had a direct trajectory to Miami Beach and have turned in time to miss our Eruv.

### III. The Eruv Construction

The Eruv consists of 4 walls, one consisting of a tzuros hapesach (doorways) in the beach, which cover 9.8 miles of beachfront, consisting of approximately 180 poles. For the other 3 walls, we rely on the seawall and some approximately 40 poles inland. The Eruv map is available online for download at:

<https://www.miamibeacheruv.org/eruv-map>

The website is service by our volunteer Dadmy Jonathan.

### IV. Administration

The Miami Beach Eruv Council, Inc. is incorporated in the State of Florida and has 3 officers. The member shul list is included in the Appendix. Currently, the funds are raised from the individuals on an annual of \$125 per family , with the exception of the Young Israel of Bal Harbour, where the shul collects the fees from their members.

The documents are all kept in a Dropbox file and the accounting is done on QuickBooks online, with full access who request them. The accounting firm is Berkowitz, Pollack and Brant.

Funding for the Eruv is as follows:

- a. Annual assessments per family is \$125 and the individual shuls shall be responsible to email the remainders and help the Eruv collect this funds.
- b. Shuls may assess the members and pay the Eruv fees themselves.
- c. Funding for special projects.

## V. Guidelines to Maintaining the Eruv

1. The Eruv must be inspected weekly before the Sabbath to ensure that it is intact and operational. It should be done Friday morning, but in case of necessity, it can be done on Wednesday. In case it was impossible to check (e.g., due to sickness C'V), if the area has a chazaka of 3 weeks without breaks, we can rely on the prior week's inspection. It may not be necessary to check the perimeter fences on a weekly basis, since it is unlikely they will be disturbed or that the ground underneath them will erode. It is recommended to be done every 3 weeks. The Eruv should also be inspected on Erev Yom Kippur and Erev Yom Tom that has Shabbos with it.



### Rules to Operate the ATV

2. Rules to drive on the beach
  - a. The driver must be listed in the insurance policy. Sample is included in the appendix.
  - b. Most important the person be capable of Shomer Enayim (Guard eyes) as the beach is very inappropriate. The permit to drive on the beach is a big gift as a police officer run over a beach goer for not shomer enayim. The driver has to be accustomed to driving and look at the string, look at the people crossing and not look at inappropriate thing all at the same time. Rabbi Weberman zt"l would not allow anyone to drive unless shown a chazaka of driving 3 times with no incidents while being supervised.
  - c. Recommend going in the morning to avoid congested at beach.
  - d. Children are accustomed to running on the beach. Must be very alert at the entrances and exists of the hotels.
  - e. Know the exact location of the tzuras hapesach (discuss in detail below what to inspect) and become familiar with the driving in the sand as it is easy to lose control because of the 4 wheel drive required.

- f. Sometimes due to beach erosion the slope of the beach is very high, and it could present a risk of overturning.
  - g. The ATV can get stuck on wet sand, do not drive near where the waves are hitting.
  - h. Assume people do not listen to the loud ATV motor because sometimes they have ear plugs and will not realize you are there.
  - i. Know where restroom facilities are as it takes a minimum of 3 hours to inspect.
3. The Eruv must be repaired immediately if any damage is found.
4. The Eruv must be checked for any breaches, gaps, or other issues that may render it non-operational.
5. The Eruv must be constructed and repaired to comply with local laws and regulations.
6. If the Eruv is found to be non-operational and cannot be repaired before Shabbos, the community must be notified immediately, so that they are made aware of the situation and can make alternative arrangements for the Sabbath. If the notification that it is non-operational occurs on the Sabbath itself, no communication shall be made to the community and a non-jew should be asked to fix it without indicating remuneration on the Sabbath but indicating that he will not lose money at all for his help. We do not currently have such an individual.
7. The Eruv must be maintained in a way that minimizes any potential harm to the environment or surrounding wildlife. We currently use string Sterlin 2mm Accessory Cord color Yellow. The rope is not too strong (tensile force is about 100 lbs.) so the rope breaks instead of the wood poles. Additionally, it is not wire that may harm people if it breaks with high winds and would C"V cut someone. This rope is incased in cloth covering, so that the nylon interior is not exposed to ultraviolet solar deterioration.
8. The Matzah is kept at Ohr Chaim Congregation, and it should be changed erev Shabbos Hagadol.
9. The seawall shall need to be inspected once a year via boat and verified areas of the seawall at low tide do not have sand accumulation making the seawall no less than 40 inches (10 techafim).



10. A detailed map of all infrastructure shall be placed on the website and updated at the time of the seawall.
11. The status of the Eruv shall be available Friday afternoon when the repairs are completed, via:
  - d. Phone recording to the 305-866-ERUV hotline
    - i. Typical message: "Thank you for calling the Eruv Hotline. This Friday afternoon, November xth, Erev Shabbos Parshas Vayera, candle lighting time 5:30, the Eruv is kosher. Good Shabbos "
    - ii. After Shabbos, the message should be changed to indicate the Eruv is being checked.
  - e. Via email
  - f. Via WhatsApp
12. The Eruv must be maintained in a way that is respectful of the surrounding community and its residents.
13. It's important to have a designated person or a team to be responsible for the Eruv maintenance, who should be always contactable. We currently have Rabbi Blank and Rabbi Spitz.
14. Detailed records of Eruv inspection, maintenance and repair should be kept for reference. If vandalism is suspected, a police report shall be filed and documented. The police have been very helpful in placing police vehicles at certain locations to avoid further vandalism. See Appendix for vandalism in the Pinetree park which we ended up excluding from the Eruv.

15. The Eruv should be clearly marked so that community members can easily identify the boundaries of the Eruv and make the map available online and to individual shuls once it's updated.
16. Every Eruv needs a lawyer. We currently have Daniel Y. Gielchinsky, who volunteers his services.
17. During the construction phase or maintenance of our Eruv, we carried an insurance policy to cover liability. Sample is enclosed in the Appendix.

It's important to note that the Eruv was constructed and maintained under the guidance of a Rabbinical authority and with the approval of the local authorities. I will outline the Rabbi P.A. Weberman's *zt"l* guidelines and explanations as a basis for for Eruv, based on serving under Rabbi PA Weberman *zt"l* for a decade. Since it entails very technical terms involving complicated Piskei Dinim , I will work only with the terminology in our Eruv. The intent is not for a full halachic analysis of the Eruv, which is beyond my understanding, but to explain the best I can the positions, to avoid controversy in the future. In the appendix I have included all the responsa.

## VI. Halachic Principles and Terminology

The Hebrew word for "Eruv" is עירוב. Another Hebrew term that is often used in reference to an eruv is מחיצת השבת (mekhitsat haShabbat) which means "Sabbath boundary."

Additionally, the Hebrew term תכנון עירוב (tichnun eruv) is used to refer to the planning and construction of an Eruv.

The Hebrew term כלי עירוב (keli Eruv) is used to refer to the object or tool used to create the Eruv boundary, such as the string.

**Public Domain (reshus harabim), following the opinion of Hagaon R' Moshe Feinstein *zt"l***

Hagaon R' Moshe Feinstein *zt"l* has a unique formula for defining a *reshus harabim*. According to this formula, a single street is not a *reshus harabim* unless 600,000 individuals traverse the street every day, which is very rare in our time. However, if it



can be assumed that 600,000 individuals can be found on all the streets of the city at one time, then the entire street grid of a city becomes one large *reshus harabim*. This assumption is only justified if there are close to three million residents living in an area of the city that is twelve by twelve *mil* (a *mil* is two thousand *amos*, and twelve *mil* equals approximately 8.5 miles). This concept of the entire city becoming a *reshus harabim* is derived from the *machaneh Yisroel*, the Jewish encampment in the desert.

This position represents both a great leniency and a great stringency. On the one hand, a street is not a *reshus harabim* unless 600,000 people travel the street every day. On the other hand, in a city with the necessary population density where a *reshus harabim* would be assumed, every side street is also considered part of this *reshus harabim*.

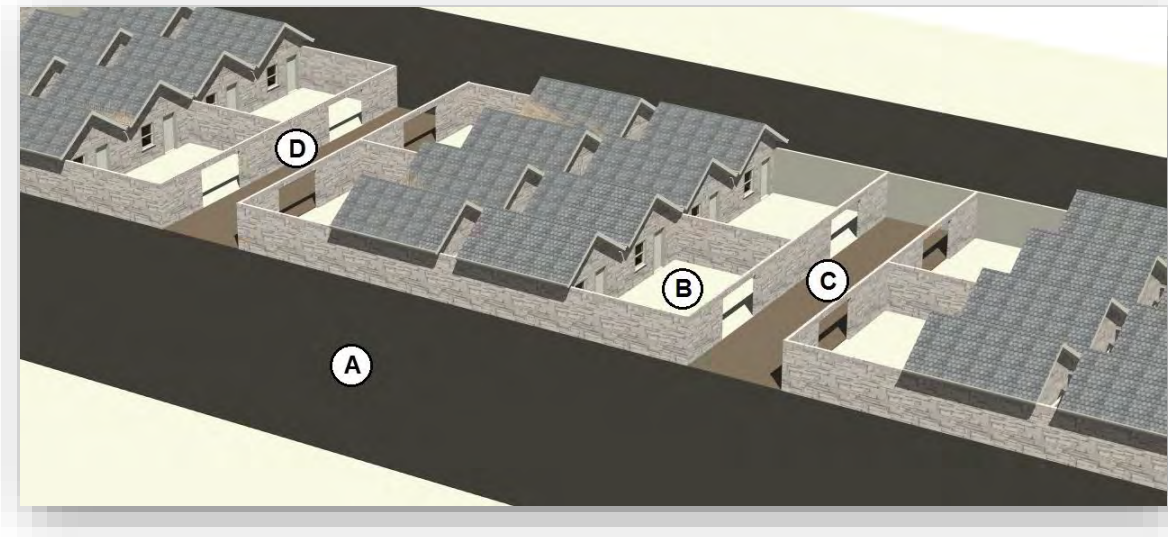
◆ **Application:** RPWE currently has a population of:

Miami Beach, FL: The population of Miami Beach as of 2021 is estimated to be around 90,000 people. Surfside, FL: The population of Surfside as of 2021 is estimated to be around 5,800 people. Bal Harbour, FL: The population of Bal Harbour as of 2021 is estimated to be around 2,500 people.

The total of these cities is about 100,000 people. The highway leading into the area has a busy main street (41<sup>st</sup> Stree) that is used, at least occasionally, by half of the city's population. This street meets the criterion of being wider than sixteen *amos*. In terms of the traffic criterion, this main street would not be considered a *reshus harabim d'Orisa* according to Rabbi P.A. Weberman *zt"l*, since the city's population is less than 600,000.

**Mechiras Reshus** is a Jewish legal concept that refers to the sale of certain rights or privileges related to the use of public spaces on the Sabbath. The sale of rights to carry objects within a specific public area is intended to create a "private domain" within that area, allowing observant Jews to carry objects without violating the Sabbath laws.

**Application:** The RPWE conducted the sale of these rights iunder the rabbinical authority of Rabbi PA Weberman *zt"l* for a 99-year term from the Governor of Florida and sold for a symbolic fee of \$1 under oral agreement in 2015. The sale of these rights is not legally binding, but it is accepted by the Jewish community as a way of creating a "private domain" within a public space and allowing observant Jews to carry objects without violating the Sabbath laws. The Governor was used at that time because part of the Eruv is west of the Construction Control Line and the State of Florida controls the permitting for that area. We were granted a non-permit waiver at the time of building it.



- A – ReshA -Reshus Harabim or Karmelis
- B – Chatzeir
- C – Mavoi
- D – Mavoi Mefulash

- 1) חצר (*Chatzeir*) – a courtyard: In the times of *Chazal*, the houses would open into a shared courtyard. This courtyard was typically enclosed on at least three sides, and was therefore suitable for semiprivate functions, such as eating. Halachically, a *chatzeir* has certain leniencies because it is not used as a thoroughfare. However, since it was common for the *chatzeir* to be enclosed, *Chazal* required that a *chatzeir* be surrounded with a more complete enclosure than a *mavoi*.

#### Included are the waterways:

- 2) קרפף (*Karpef*) – an enclosed area used for storage: The word *karpef* literally refers to a large uncovered storage area located outside of the city, which was used to stockpile wood. Because of its remote location, a *karpef* was used for storage, not domestic functions. Since a *karpef* was a common type of storage area that was clearly not intended for domestic functions, the Gemara and *poskim* adopted the word *karpef* to refer to any area that is designated for non-residential use.

**Application:** Rabbi Weberman *zt"l* was very fond of saying how he showed Rav Moshe Feinstein that the waterways are recreational because people go out on boats, therefore they have a residential use. Rav Moshe Feinstein had difficulty understanding how people can enjoy motorboats or sailing by going to nowhere and back. He was convinced only after showing him the logo of Miami Beach being sailboats. Today, with the prevalence of jet skis, this is even more acceptable.

For the purposes of carrying on Shabbos, there are four different domains, each with different rules.

1. **“Reshus Harabim”** or a public domain, is generally described as a public thoroughfare at least 16 amos wide. There are many intricacies involved with the qualifications of an area as a *reshus harabim*, as was discussed above.

2. **“Reshus Hayachid”** is a private domain which contains an area of at least four *tefachim* by four *tefachim* and is generally surrounded by enclosures at least 10 *tefachim* high. The enclosures can take a variety of different forms.

3. **“Carmelis”** is a quasi-public domain which does not have the attributes of a *reshus harabim* as prescribed by the Torah. A *carmelis* is usually described as an area of at least four *tefachim* by four *tefachim* which is not enclosed in a manner that would otherwise render it a *reshus hayachid*.

4. **“Mekom P’tur”** is an area which, because of its small size or location, does not fall into any of the categories set out above.

The biblical prohibition of carrying on Shabbos consists of carrying an object between a *reshus hayachid* and a *reshus harabim* or carrying an object across a *reshus harabim* for a distance of four amos.

### **ERUVEI CHATZEIROS**

The *chachamim* have decreed that it is not permitted to carry, even in a *reshus hayachid* if it is accessible to more than one individual home. This is in order to prevent confusion between a *reshus harabim* and a *reshus hayachid*, which looks like a public domain because it is used by a number of people.

The Rabbis endorsed a method of resolving this issue by the creation of an *Eruv Chazeiros* which halachically “blends” the various *reshus hayachids* together. In the event the *Eruv chazeiros* includes areas where people other than observant Jews who respect the halachos of *Eruv* reside, it is necessary to obtain a municipal license to use the streets for the purpose of the *Eruv*.

The classical case described numerous times throughout the Gemara is that of a courtyard or “chatzer” which connects two or more individual houses. Two or more *chatzeiros* connect to a “movui” or an alleyway. The alley, which, if properly enclosed, is itself intrinsically a *reshus hayachid* m’doreisa connects to a *reshus harabim*. In order to carry in such a chatzer, one makes an *eruv chatzeiros* (mixing the domains of the courtyards). To carry in such a *mavui*, one makes a *shituf mavui* (mixing domains of the courtyards with the alleyway). Practically, both procedures are quite similar. However, while the *mechitzos* of a chatzer can accommodate a gap of up to 10 amos, the *mechitzos* of a *movui* may be invalidated with even a gap as small as four *tefachim*. We follow that our city an *Eruv chatzeiros*.

## MECHITZOS

As stated above, it is prohibited to carry from a *reshus hayachid* to a *carmelis*, or within a *carmelis*. Most Miami Beach streets are considered a *carmelis*. Therefore, the goal of the *Eruv* is to halachically enclose the perimeters of the Jewish areas of Miami Beach, Surfside, Bay Harbour, and Bal Harbor in order to deem the entire area within its boundaries a *reshus hayachid*.

Halachically, a *reshus hayachid* can be “fenced” with either actual fences or with a “*tzuras hapesach*”, which is essentially a horizontal element such as a lintel set on top of two posts (“*lechayayim*”), to create the appearance of a doorway. Halachically, the area enclosed by the *tzuras hapesach* is considered to be closed. As a practical matter, most eruvin have substantial areas enclosed by *tzuros hapesach*. We have close to 10 miles of string running on top of wooden poles throughout the beach area, shown in diagram 1 as a yellow line.

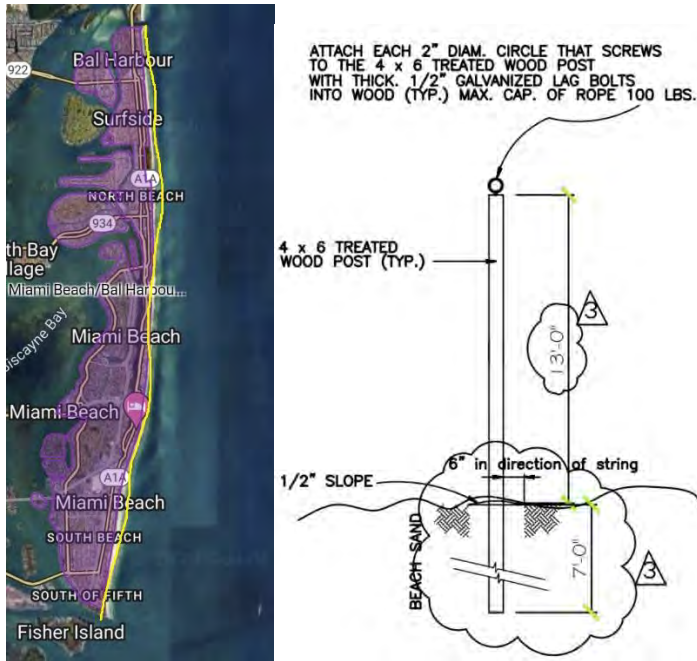


Figure 1 Yellow *tzuras hapesach*

Typical *lechi* for Miami Beach



Typical *lechi* for Bal Harbor



Typical Lechi for Surfside

There are, however, many practical difficulties in building an eruv of *tzuross hapesach* enclosures over large areas: The horizontal element must be located precisely on top of the pole and not on its side. Halachically, it is sufficient for the vertical element (the *lechi*) to have the minimum height of 10 *tefachim* on a vertical plane even if it does not physically reach the horizontal element. However, the horizontal element must be precisely within the projection of

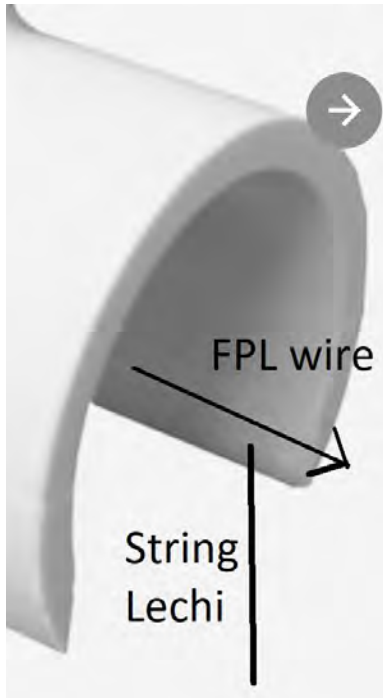
this vertical plane. This is the result of the principle of “*gud asik*.” *Gud asik* deems a pole, once it meets the minimum halachic requirement of 10 tefachim, to project upwards on an absolute vertical plane.



Accordingly, using a FPL wire as shown, the wire must be precisely on top of the pole and if that were not the case, another vertical element of at least 10 tefachim must be attached at a spot precisely below the path of the wire (see pole “a” above). Even one improperly constructed *tzuras hapesach* can invalidate the entire Eruv. Pole “b” above was not directly under the pole as the pole has an inclination.

## Requirements

1. The halachic principle of *gud asik* extends a *lechi's* top upward (toward the rope , etc.) in a perpendicular direction from the horizontal. *Lechis* must be "plumb" with cables, *i.e.* be directly beneath them, to be kosher.
2. There is no requirement that a *lechi* touch a wire or string.
3. A blockage ( *chatzitzah*) is never permitted between the top of a *lechi* and the Eruv line.
4. Utility poles commonly have a wire running over the top and held in place by a bracket. Such a pole is its own *lechi* . However, not all wooden poles are cut flat on top or the the wire running on top. As on the above case we rely on *gud asik* on the bottom wire for a *tzuras hapesach*.
5. Rabbi Weberman *zt"l* was not keen on allowing string *lechis*, as they bend out of shape and it's hard to maintain them under the FPL wires. Rabbi Blank and Rabbi Spitz cut a PVC pipe and hang the *lechi* from underneath it to on top as illustrated below:



6. *Lechis* may be put only under wires which are as taut as possible. The halacha requires that a line between two poles must look "straight" in order to qualify as a *tzuras hapesach*. Some authorities permit Eruv lines to sag no more than three *tefachim*. In any case, the Eruv line must not dip below 10 *tefachim* from the ground. The accepted practice was discussed with Rabbi Weberman *zt"l* through experimentation and for the rope not to sag more than three *tefachim*, the *lechi* should not be over distances of 300 feet (as long as the wires remain over the *lechis* in a normal wind – 45 mph in the area covered by our Eruv). Lines which sag substantially (shown in yellow on the picture below), even though they are taut, or lines which sag below more than three *tefachim* in the wind are questionable. A common solution to this problem is to add an additional pole or tighten the rope.



7. If a tree branch pushes the string from the Eruv substantially off a straight course, it must be corrected. Cut the branch. If the line is pushed only slightly off a straight course, it is questionable, but Rabbi Weberman *zt"l* was machmir on this if a wind will push the rope away. We follow this.
8. There is a view which holds that a rope which is completely enveloped by tree branches and leaves for a distance of 10.5 inches out (from the rope) in all directions is "broken." Therefore, branches in such locations must be cut away.

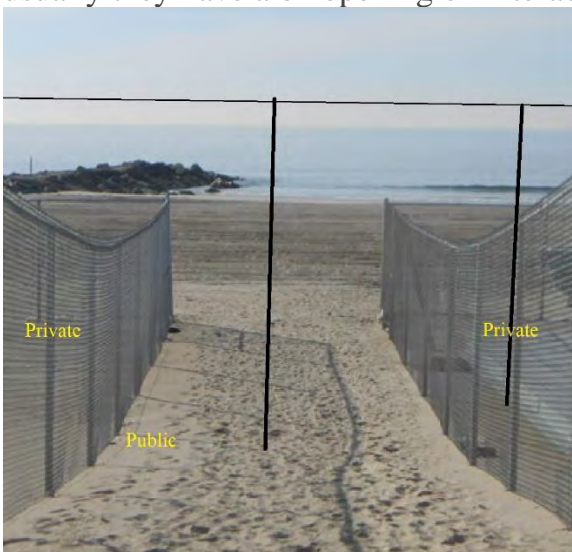




9. Eruv lines are not permitted to pass below any bridge or tunnel structure. They must go above the bridge.
10. The maximum bend on the pole cannot exceed  $44^{\circ}$



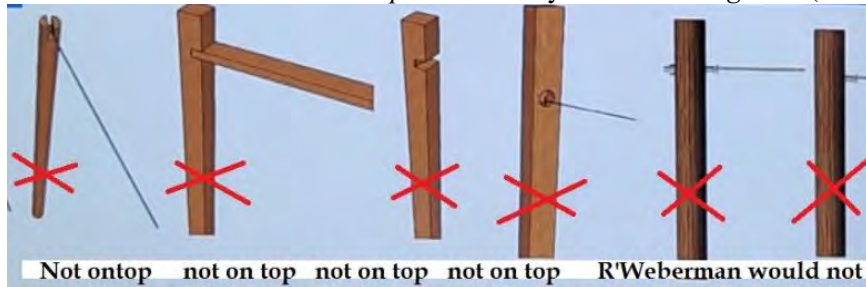
11. An Eruv inspector must be alert for any construction projects taking place along the Eruv boundary. For example, the Halacha forbids one pole of a *tzuras hapesach* to be surrounded by four *mechitzos* when the next pole is not surrounded by the same *mechitzos*. It has happened that an Eruv was made unfit by a construction company which erected a fence around a construction site which included a single utility pole from the Eruv's perimeter. If the *mechitzos* are natural, we are not strict on this because they are not real *mechitzos D'oraisa* and usually they have a on opening on 4 tefachs x 4 tefachs with in it.



12. A similar situation can occur with overgrowth, but we are not stringent on this because its not real mechitzas with doors.



13. Non-recommended *tzuros hapesach* as they need to be *al gabah* (on top)



Generally, a *tzuras hapesach* is not considered as good a *mechitza*, as an actual fence, because of all the physical and halachic issues pertaining to it. Thus, for practical considerations, it is better to create a *reshus hayachid* with actual fences.

Example of multiple principles used:



For a wall to be '*omed merubah al haporetz*' (standing more than opened), and not be subject to the problem of the public's passage negating the *mechitza*, it is necessary to have actual fences

running along most of its length. At least three sides of the Eruv need to meet this requirement in order to enclose a *reshus harabim* properly.

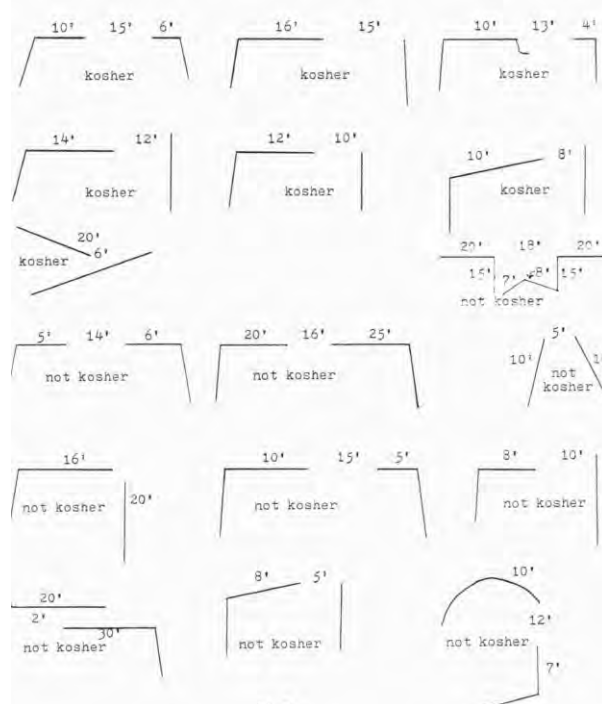


Wall **'omed merubah al haparutz'**

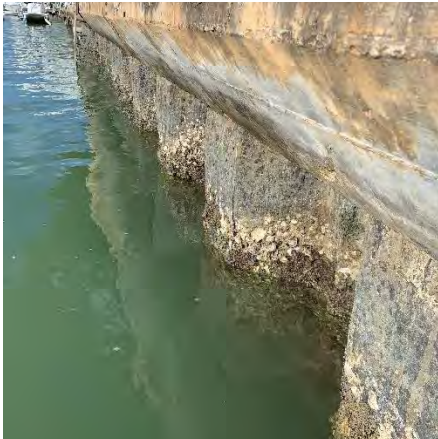
The din of *'omed merubah al haparutz'* can be used to close gaps in Eruv boundaries. The two absolute requirements are:

- a. The gap to be closed must be no greater than 10 amos (15') wide.
- b. The gap to be closed must lie in a straight line with a kosher section (or sections) whose (combined) length exceeds the length of the gap.

Examples:



Fences can be built from different types of materials if they are at least 10 *tefachim* high and have a certain amount of not allowing passage and do not have a gap of more than 10 *amos*. Typically, fences are made of wooden or chain-link wire fencing or other type of fences. Most of our Eruv consists of seawalls which are 10 *tefachim* from the seabed.



An area can also be considered fenced by a natural slope. This is another manifestation of the principle of *gud asik*. Thus, the edge of a cliff is deemed to project upwards. To qualify as a “fence” for the purpose of an *eruv*, the slope must run at least 10 *tefachim* vertically, within a maximum of four *amos* horizontally. This works out to about a 24-degree slope. A natural slope can occur on a hillside or even beneath the surface of a body of water. The Miami Beach Eruv relies, to a large extent, on the seawall, unless the slope is less than 24 degrees. In cases like this we place *tzuross hapasach* to attach to the backs of the condo/ hotel fences, thereby excluding these areas from our eruv



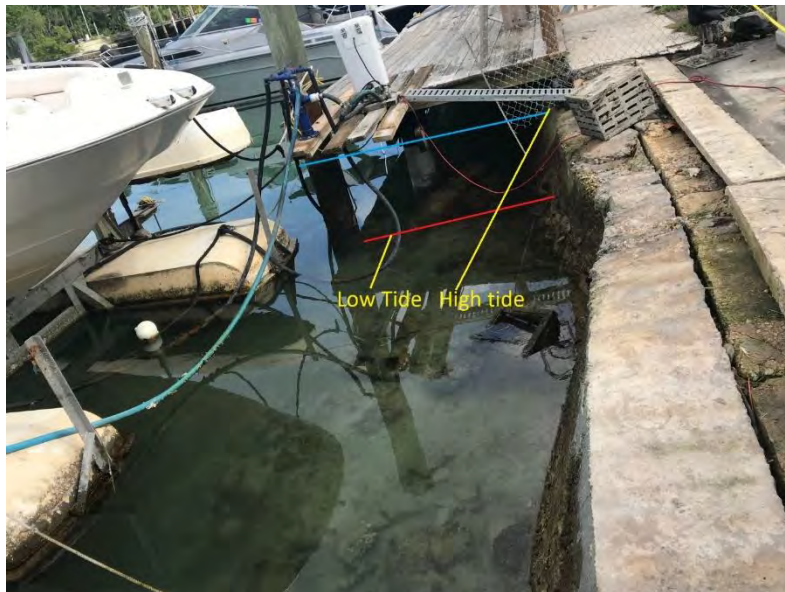
An *eruv* cannot have gaps more than 10 *amos*. For other reasons which will be discussed below, it is preferable to avoid gaps which are even 4 *tefachim* wide. As you can imagine, it was a massive effort on the part of the committee to create an *eruv* which runs for approximately 10 miles of beachfront that has no seawall. To ensure that no such gaps occurred along its entire length, we tied into existing fences on the south end (around 1<sup>st</sup> Stree) and on the seawall of

Haulover Inlet on the north (around 102<sup>nd</sup> Street). For the rest of the Eruv, we rely on the seawalls for the majority. As a practical matter, in the event one wishes to rely on a slope beneath the surface of the water, it would be necessary to ensure that the grade of the slope and its proper dimensions are maintained continuously with no such gaps beneath the surface. We know that in a couple of places, the currents cause the sand to accumulate and we use the front of houses or *tzuros hapesach* to exclude that area from the *Eruv*. Here are those areas: Around Still water drive and 84 to 82 Street and the entrance of Miami Beach by the 195 on the southside.

**‘Pi Tikra Yored V’Sosem’** is another technique used to create a *mechitza*, Imagine a canopy in front of a house. If the canopy has a vertical edge of at least one tefach, the edge is deemed to project down to the floor. This principle has application to highway underpasses or areas below elevated bridges. Halchically, we may only rely on this technique if two of the other walls of the enclosure actually meet. There is also some doubt about the application of the rule where the vertical structure was constructed for a purpose related to the top of it, as opposed to protecting what is underneath. We use this technique for closing the interior canals and making them part of our Eruv.

## VII. Controversy

### Docks



As discussed above, an *eruv* cannot have gaps more than 10 *amos*. From where do we measure the height of the seawall when there is a dock — from the water level or from the seabed? This has never been clear in halachah, so if you say it is from the water level, at high tide there will not be 10 *tefachim* of wall from the water level to the bottom of the dock; therefore, this will constitute a *pirtza* (opening) of more than 10 *amos*, invalidating the entire *eruv*.

In recent years, a prominent rabbi questioned the validity of the Eruv based on his interpretation of the following Gemarah. The Gemarah in *Eruvin* is talking about an overhang. A person standing on a roof (as shown below) would be standing on the same domain as the yellow area (public domain) because the wall stops just below the roof line. The reason given is because the roof works as a pi tikra (acts as a wall lowering to the ground) forming a private domain on the bottom and the public domain on the top. The reason is because does not exten to the top of the roof is because the wall is not recognizable from the perspective of the person standing on top of the roof. This would mean that the sea wall is less than 10 *tefachim*, from the water level nullifying the entire Eruv.



When I personally asked Rabbi PA Weberman *zt"l*, he mentioned that this was discussed with Hagaon R' Moshe Feinstein *zt"l*. He mentioned you can not compare a person standing on a roof to that of a person standing in a dock, because if he looks sideways, he can see the continuous wall, therefore it is a recognizable wall. When reported that this was discussed with **Hagaon R' Moshe Feinstein *zt"l***, the prominent rabbi indicated that was because this was sent to New York and Hagaon R' Moshe Feinstein *zt"l* was not aware of the high tide. Upon further inquiry, Rabbi PA Weberman *zt"l* indicated that he personally spoke with Hagaon R' Moshe Feinstein *zt"l* here in Miami Beach as he visited his daughter in the winter and he actually showed him the docks. The controversy continued and I sent Rabbi Yisrael Weberman to meet with Hagaon R' Dovid Feinstein, *zt"l*, and discuss the matter with him. He indicated to us that we do not need to modify anything at all. We continue to really on this.

# APPENDIX

## Eruvin Terminology

Rabbi Avraham Yitzchok Berman — Menahel, Yeshiva Madreigas HaAdam, Hillcrest, NY

Revised Nisan 5775 / Apr 2015

- 1) חָצֵר (pl. חֲצֵרוֹת) — A courtyard into which houses open. If the fourth side is entirely open, it is a רשות היחיד דאורייתא (according to almost all *Rishonim*), but one may not carry within it, or from the houses into the חצר or vice versa, unless the חצר has also a תיקון מדרבנן on the fourth side — either a פס (board) 4 *tefachim* wide, or 2 פְּסִין מְשֻׁהוּ a פְּסִין wide - one on each side of the open area.
- 2) מְבוּי (pl. מְבוּאוֹת) — An ‘alleyway’ into which חצרות open.
- 3) מְבוּי סְתוּם — a מְבוּי that is enclosed on three sides. It is a רשות היחיד דאורייתא (according to almost all *Rishonim*), but one may not carry within it, or from the חצרות into the מְבוּי or vice versa, unless the מְבוּי has also a תיקון מדרבנן on the fourth side (either a לחי or a קורה — see below.)
- 4) מְבוּי מְפֻלָּשׁ — a מְבוּי that is open on opposite sides, such that people are able to traverse it and exit through the opposite end. One may not carry in it unless a מחיצה or a צורת הפתח (see term #18) is erected on one side, and a תיקון מדרבנן is erected (either a לחי or a קורה — see below) on the fourth side.
- 5) לְחִי — an upright ‘pole’ that is at least ten *tefachim* tall. It is placed near the entranceway of a מְבוּי סְתוּם as a תיקון מדרבנן to allow carrying on Shabbos within the מְבוּי. (We hold that, מן התורה, a לחי is considered a *halachic* מחיצה for some purposes.)
- 6) קוֹרֵה — a ‘crossbeam’ that is placed above the entrance of a מְבוּי סְתוּם as a תיקון מדרבנן to allow carrying on Shabbos within the מְבוּי.
- 7) דְּרִיסַת הָרֶגֶל — the *halachic* ‘right’ to walk through a certain חצר. (Classic case: those who dwell in a חצר have דריסת הרגל in that חצר. Also: If the residents of an inner חצר must walk through a second, outer חצר, to reach the מְבוּי or רשות הרבים, the members of the inner חצר have דריסת הרגל through the outer חצר.) Any person who has דריסת הרגל must be included in the עירוב חצרות or שכירות רשות (see terms #8–10).
- 8) עִירוּב חצרות — Even when a חצר is *halachically* enclosed, carrying from a house into the חצר, or vice versa, is still אסור מדרבנן unless all the homeowners (or renters) who have השתמשות זכות השתמשות or רגל דריסת הרגל join together in an עירוב חצרות, whereby each homeowner contributes bread (or *matzah*) to join together. Alternatively, one person may be מוֹכֵה the bread אחר ידי to all the



homeowners. (The colloquial term 'Eruv' is derived from 'עירוב חצרות'.) See also שכירות רשות — term #10.

9) שתוף מבואות — Even when a מבו is *halachically* enclosed, it is still אסור מדרבנן to carry כלי בתים (objects that were in a house in a חצר at the onset of Shabbos and were then moved to the חצר on Shabbos) from a חצר in the מבו into the מבו, or vice versa, unless the individual חצרות join together in a שתוף מבואות, whereby each חצר contributes a food item to join together. Alternatively, one person may be מוכה the food item על ידי אחר to each חצר.

10) שכירת רשות (renting of rights) — עירוב חצרות helps only for the Jewish homeowners in the חצר. If there are non-Jewish homeowners in the חצר, the Jewish homeowners must rent from each non-Jew his rights of passage (i.e., his דריסת הרגל) in the חצר. Alternatively, they may rent the rights from any of the following: the non-Jew's household members; שְׂכִירוֹ וְלִקְיָטוֹ (his hired workers); one who has the right to store objects on his property; or the שַׁר הָעִיר.

11) עומד מְרוּבָה עַל הַפְּרוּץ — if the sections of a מחיצה that are intact (עומד—'standing') are wider than the sections of that מחיצה that are breached (פרוץ), and no breach is wider than 10 *amos* (subject to additional conditions — see, for example, the following 3 terms), the מחיצה is valid in its entirety and the breached sections are considered to be פְּתָחִים (entranceways) in the מחיצה.

12) אֶתִּי אֲוִירָא דְהָאִי גִיסָא וְדְהָאִי גִיסָא וּמְבַטְלוּ — (literally: the airspace of this side and of this side come and nullify it.) If an עומד is sandwiched between two פרצות, with one פרצה wider than the עומד and the other at least as wide as the עומד, the עומד is nullified and is considered פרוץ.

13) סילוק מחיצות — a special instance in which the principle of הפרוץ על הרובה cannot be employed due to the specific configuration of the מחיצות. (See diagram #1.)

14) פְּתָחָא בְּקַרְנֵי זֵוִית לֹא עֲבָדֵי אִינְשֵׁי — people do not make entranceways precisely in the corner of an enclosed area. Hence, we cannot say עומד מרובה על הפרוץ to consider a corner that is breached to be enclosed. (See diagram #2.) According to most *Rishonim*, a צורת הפתח (see term #18) may be used to close the breach.

15) פְּסֵי בִּירָאוֹת — (lit. boards for wells) four specially constructed 'corner boards' that serve as מחיצות surrounding water-holes, erected to allow the עולי רגלים to draw water for their animals. Each of the four are constructed using two boards that are at least one *amah* wide and at least 10 *tefachim* tall and placed at right angles to one another. (See a 'birds-eye view' in diagram #3.)

16) אֶתִּי רַבִּים וּמְבַטְלֵי מַחֲצוֹת — If a רשות הרבים traverses between the פסי ביראות, the masses of people who pass through nullify the halachic מחיצות the פסי ביראות created. There is a *machlokes*

whether we say *לא אתי רבים ומבטלי מחיצתא* or *אתי רבים ומבטלי מחיצתא*.

17) דֶּלֶת — a door at the entranceway to a city. The דלת may serve as a *halachic מחיצה* even if it remains open during the day, so long as it is closed at night. According to many *Poskim*, it must also have a צורת הפתח (see following term) to be a valid *מחיצה* when it is open. According to many *Poskim*, it may serve as a *halachic מחיצה* even if it remains open at night, so long as it is ראוי לנעול — able (or fit) to be closed on Shabbos. (This provision excludes a case in which the doors are cemented to the ground in an open position, and a case in which the doors are propped open with mounds of dirt, which may not be removed on Shabbos.)

18) צורת הפתח — (literally: the form of an entranceway) — colloquially called an 'Eruv.' It is comprised of קנה מכאן וקנה מכאן וקנה על גביהן — two reeds (or poles) on either side and a reed (or pole or wire) on top. There is a *machlokes* whether it is viewed *halachically* as a *מחיצה*, or as a פתח, or as both. (Colloquially, a קנה עומד is called a 'lechi' and a קנה על גביו is called a 'wire'.)

19) מְקוֹם הַמְּקוּף — the area that is enclosed by the *מחיצות* or by an 'Eruv.'

20) כֶּפֶה — The rounded arch of a doorway or a צורת הפתח.

21) אֶלְכָסוֹן — slant. A *מחיצה* that is on a slant is valid, subject to the rule stated in term #22. If a צורת הפתח is slanted, most *poskim* hold that it is valid, but several *שאלות* might arise.

22) תֵּל הַמְתַּלְקֵט עֶשְׂרֵה בְּתוֹךְ אַרְבַּע — a mound (or wall, etc.) that is slanted, but rises to a height of 10 *tefachim* off the ground within a distance of 4 *amos*, is a *halachic מחיצה*. There is a *machlokes* whether the 4 *amos* are measured along the horizontal or the incline (i.e., the hypotenuse).

23) צורת הפתח מן הצד — when the קנה על גביו ('wire') does not pass over the קנה עומד ('lechi'), but passes (or is attached) to the side of it, the צורת הפתח is *posul*.

24) פְּתָחֵי שִׁמְאֵי (literally: 'defective doorways') — a צורת הפתח that is built such that it resembles a defective doorway. (In the Gemara's case, the doorpost has stones jutting out.) According to many *Poskim*, such a צורת הפתח is *posul*. According to some *Poskim*, it is *posul* also when the 'wire' is constructed in a defective manner.

25) קַרְפֵּי יְתֵר מֵבֵית סְאֵתִים שֶׁלֹּא הוּקְפוּ לְדִירָה — literally: a storage area that is larger than a בית סאתים (100 *amos* x 50 *amos* = 5,000 square *amos*) that was not surrounded by *מחיצות* for dwelling purposes. Even if completely enclosed (and, hence, a רשות היחיד מדאורייתא), one may not carry in it on Shabbos. Included in this concept are other areas not used for normal dwelling purposes, such as swamps, forests and gardens, as well as cities that have a wall, but whose wall was erected before people began dwelling in the city.

26) לְבוֹד (literally: attached) — two items may be considered to be *halachically* 'attached' for

certain purposes if they are within 3 *tefachim* of one another.

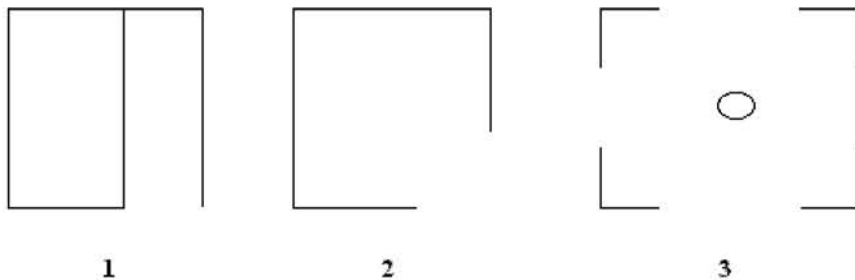
27) גְּדֵיִים בּוֹקְעִין תַּחְתּוֹ (literally: goats break through underneath it) — A מחיצה or a לחי or a קנה עומד (*'lechi'*) is not valid if it is not לבוד to the ground, since goats can pass underneath it.

28) גוֹד אֶסְיֵק (literally: extend upward) — A *halachic* principle whereby a מחיצה or a קנה עומד (*'lechi'*) that is at least ten *tefachim* tall extends straight up *halachically*.

29) פִּי תִקְרָה יוֹרֵד וְסוֹתֵם — the edge of an overhanging roof (under certain limited conditions) extends straight down *halachically* to form a מחיצה.

30) שְׁמַא יַעֲלֵה הַיָּם שִׁרְטוֹן — According to some *Poskim*, we are concerned that a מחיצה made of a תל המתלקט proximate to the sea will become invalidated due to deposited sand (or erosion).

31) גְּזֵרַת הַרְוָאִים — When a צורת הפתח is invalid because it is מן הַצַּד (see term #23), and is rectified by simply adding another *"lechi"* (קנה עומד) under the "wire" (קנה על גביו), the original, invalid *"lechi"* must be removed, lest those who see it will think that a מן הַצַּד צורת הפתח is allowed.



# עירוב דמייאמי ביטש

MIAMI BEACH ERUV COUNCIL, INC.  
4259 NAUTILUS DR. MIAMI BEACH, FLORIDA 33140  
[info@miamibeacheruv.com](mailto:info@miamibeacheruv.com)

Temple Moses

## Participating Communities

4747 Charity Corp. Mimosa Shul

Ahavas Torah

Bais HaMedrash Levi Yitzok

Bais Yeshaya dKeristerer Shtiebel

Beis Menachem

Beth Abraham at the Carriage House

Beth Eliyahu Mani Bukharian Cong

Beth Israel Congregation

Capt. Hyman P. Galbut Jewish Learning Center

Chabad

Chabad Houses SB, NBV, VSI

Chevra Shas (in Tower 41)

Congregation Adas Daj

Congregation Keter Zion Miami

Congregation Ohr Chaim

Congregation Shaarei Ezra

Congregation Yechezkel Shraga (The Shul at CCN)

Congregation Zichron Naftali

Friends of Lubavitch - Beis Hamedrash Levi

Yitzchok

HaRambam Congregation

Hechal Shalom Sephardic Congregation of Surfside

Jewish Educational Leadership

Magen David Congregation

Menicha Learning Center (Massada II  
Condominium)

Miami Community Kollel

Ohev Shalom Congregation

Shaare Ezra Sephardic Congregation

Shul of Bal Harbor, Inc.

Shuva Israel - south beach

Synagogue of Carriage Club South

Talmudic University of Florida / Bais Moshe Chaim,

Yeshiva

V`Kolel

Young Israel of Bal Harbour

Ohev Shalom Congregation

בס"ד



MIAMIBE001

RCAMPOS

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/14/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> <b>Riemer Insurance Group, Inc.</b> <b>P O Box 250</b> <b>Hallandale, FL 33008</b>	<b>CONTACT NAME:</b> Daphnee Dalexis-Louis	
	<b>PHONE (A/C, No, Ext):</b> (754) 202-0934	<b>FAX (A/C, No):</b>
<b>E-MAIL ADDRESS:</b> dlouis@riemerinsurance.com		
<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURER A :</b> Century Surety Company		<b>36951</b>
<b>INSURER B :</b>		
<b>INSURER C :</b>		
<b>INSURER D :</b>		
<b>INSURER E :</b>		
<b>INSURER F :</b>		

**INSURED**

**Miami Beach Eruv Council, Inc**  
**4259 Nautilus Dr**  
**Miami Beach, FL 33140**

### COVERAGES

**CERTIFICATE NUMBER:**

**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.


INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			CCP-1031021	1/3/2022	1/3/2023	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ Included
								\$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
RE: 4259 Nautilus Dr, Miami Beach, FL 33140

The certificate holder is named as additional insured for General Liability as required by written contract

### CERTIFICATE HOLDER

### CANCELLATION

<b>City of Miami Beach</b> <b>1700 Convention Center Drive</b> <b>Miami Beach, FL 33139</b>	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	<b>AUTHORIZED REPRESENTATIVE</b> 

בעזה״ת ג' שבט תשע״ו

עירובין פ' ע"א: כופין אותו לעשות לחי וקורה למבוי.

חושן משפט סימן קס"ב סעיף א': בני מבוי כופין זה את זה לעשות לחי וקורה למבוי.

עיין נודע ביהודה מה"ת חושן משפט סימן ל' ט שמסיק שיכולין לכופ אפילו בלי בית דין.

עיין שו"ת שבט הלוי חלק ט' סי' ש"ב שמסיק שאפי' מי שטוען שאינו רוצה לסמוך על צורת הפתח ברחוב רחב מט'ו אמה אף הוא צריך ליתן חלקו.

הדבר ידוע בש"ס ופוסקים שמי שמסרב לתת מס הקהל ומחמת זה צריכים שאר הקהל לתת יותר מס, הרי הוא גוזל הרבים.

אנחנו רשאים לאסור לאותם המסרבים לשלם מס העירוב מלטלטל בשבת בתוך גבולי העירוב.

**The Halachic ruling declares clearly that the Eruv Council is authorized to exclude from use of the Eruv those who do not pay their assessment for the Eruv. See the ruling in detail on our website - [miamibeacheruv.com](http://miamibeacheruv.com)**

**The Miami Beach Eruv Council regretfully advises you that since your Synagogue has failed to pay its assessed dues it will be excluded from the Eruv. No one may carry anything from the street to your Shul on Shabbos or on Yom Kippur.**

**This Issur will be in effect beginning Rosh Chodesh Adar 1**

Construction Agreement No.: 2018-C-690-002

**THIS CONSTRUCTION AGREEMENT (this "Agreement")** is made and entered into by and between the State of Florida, Department of Transportation, (Address) 1000 NW 111th Avenue  
(hereinafter referred to as the "DEPARTMENT") and Miami Beach Eruv Council, Inc.  
(Address) 4259 Nautilus Dr., Miami Beach, FL (hereinafter referred to as the "Construction Coordinator").

**WITNESSETH:**

**WHEREAS**, the DEPARTMENT is authorized and required by Section 334.044(13), Florida Statutes, to coordinate the planning, development, and operation of the State Highway System; and

**WHEREAS**, pursuant to Section 339.282, Florida Statutes, the DEPARTMENT may contract with a property owner to finance, construct, and improve public transportation facilities; and

**WHEREAS**, the Construction Coordinator proposes to construct certain improvements to  
SR SR A1A Section 060 Subsection 000 from Begin MP 2.678 to End MP 3.097  
Local Name \_\_\_\_\_ located in Miami-Dade County (hereinafter  
referred to as the "Project"); and

**WHEREAS**, the parties desire to enter into this Agreement for the Construction Coordinator to make improvements within the DEPARTMENT'S right of way to construct the Project, which will become the property of the Department upon acceptance of the work.

**NOW, THEREFORE**, based on the premises above, and in consideration of the mutual covenants contained herein, the parties hereby agree that the construction of the Project shall proceed in accordance with the following terms and conditions:

1. The recitals set forth above are specifically incorporated herein by reference and made a part of this Agreement. The Construction Coordinator is authorized, subject to the conditions set forth herein, to enter the DEPARTMENT'S right of way to perform all activities necessary for the construction of **See attached exhibit A scope of services/special provisions.**

2. The Project shall be designed and constructed in accordance with the latest edition of the DEPARTMENT'S Standard Specifications for Road and Bridge Construction and DEPARTMENT Design Standards and Manual of Uniform Traffic Control Devices ("MUTCD"). The following guidelines shall apply as deemed appropriate by the DEPARTMENT: the DEPARTMENT Structures Design Manual, AASHTO Guide Specifications for the Design of Pedestrian Bridges, AASHTO LRFD Bridge Design Specifications, the DEPARTMENT Plans Preparation Manual ("PPM") Manual for Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (the "Florida Green Book") and the DEPARTMENT Traffic Engineering Manual. The Construction Coordinator will be required to submit any construction plans required by the DEPARTMENT for review and approval prior to any work being commenced. Should any changes to the plans be required during construction of the Project, the Construction Coordinator shall be required to notify the DEPARTMENT of the changes and receive approval from the DEPARTMENT prior to the changes being constructed. The Construction Coordinator shall maintain the area of the project at all times and coordinate any work needs of the DEPARTMENT during construction of the project.

3. The Construction Coordinator shall notify the DEPARTMENT a minimum of 48 hours before beginning construction within DEPARTMENT right of way. The Construction Coordinator shall notify the DEPARTMENT should construction be suspended for more than 5 working days.

4. Pursuant to Section 7-13 of the DEPARTMENT Standard Specifications, the Construction Coordinator is required to possess a general liability insurance naming the DEPARTMENT as an additional insured and insuring the DEPARTMENT and the Construction Coordinator against any and all claims for injury or damage to persons and property, and for the loss of life or property that may occur (directly or indirectly) by reason of the Construction Coordinator accessing DEPARTMENT right of way and the Construction Coordinator's performance of the Project. Such amount shall be carried in a minimum amount of not less than SEE ATTACHED and 00/100 Dollars (\$ \_\_\_\_\_) for bodily injury or death to any one person or any number of persons in any one occurrence, and not less than 1000000 and 00/100 Dollars (\$ 1000000) for property damage, or a combined coverage of not less than 2000000 and 00/100 Dollars (\$ 2000000). Additionally, the Construction Coordinator shall supply the DEPARTMENT with a payment and performance bond in the amount of the estimated cost of construction, provided by a surety authorized to do business in the State of Florida, payable to the DEPARTMENT. The bond and insurance shall remain in effect until completion of construction and acceptance by the DEPARTMENT. Prior to commencement of the Project and on such other occasions as the DEPARTMENT may reasonably require, the Construction Coordinator shall provide the DEPARTMENT with certificates documenting that the required insurance coverage is in place and effective. If the Construction Coordinator is a governmental entity they will be exempt from these requirements.

5. The Construction Coordinator shall be responsible for monitoring construction operations and the maintenance of traffic ("MOT") throughout the course of the project in accordance with the latest edition of the DEPARTMENT Standard Specifications, section 102. The Construction Coordinator is responsible for the development of a MOT plan and making any changes to that plan as necessary. The MOT plan shall be in accordance with the latest version of the DEPARTMENT Design Standards, Index 600 series. Any MOT plan developed by the Construction Coordinator that deviates from the DEPARTMENT Design Standards must be signed and sealed by a professional engineer. MOT plans will require approval by the DEPARTMENT prior to implementation.

6. The Construction Coordinator shall be responsible for locating all existing utilities, both aerial and underground, and for ensuring that all utility locations be accurately documented on the construction plans. All utility conflicts shall be fully resolved directly with the applicable utility.



August 23, 2018

Miami Beach Eruv Council, Inc  
c/o Bernardo Coiffman  
4259 Nautilus Dr  
Miami Beach, FL 33140

Re: Policy: XBS0097178  
Carrier: Scottsdale Ins. Co.  
Endorsement Effective Date: 4/09/18

Dear Bernardo Coiffman:

Enclosed please find endorsement number 1 to the above referenced policy making the following changes:

- **The policy number has been changed**

There is no change in premium as a result of this endorsement. Please let us know if you have any questions or if additional changes are needed.

Best Regards,

*Sonia Pagan*

Sonia Pagan  
Account Manager Assistant  
Riemer Insurance Group, Inc.

**Home Office:**

217 East Hallandale Beach Boulevard  
Hallandale Beach, FL 33009  
Mailing Address: P.O. Box 250  
Hallandale Beach, FL 33008-0250  
Dade (305) 945-5529 • Broward (954) 454-3145  
Fax (954) 454-9552 • Toll Free (800) 742-1691

**Miami Office:**

8120 Coral Way  
Miami, FL 33155  
Fax: (786) 409-7798  
Toll Free: (800) 742-1691

Visit us at [www.riemerinsurance.com](http://www.riemerinsurance.com)



**Eruv**

The City of Miami Beach has a large Jewish population that observes Shabbos. One of the divisions of labor prohibited on Shabbos is commuting from one domain to another or from an enclosed area to an open area. Individuals who observe Shabbos may be allowed to exit their enclosed private residence to areas enclosed by an Eruv comprised of horizontal walls of a minimum height of ten handbreaths or poles connected from above with strings for gaps larger than ten cubits, among other specific requirements. For this purpose, the City of Miami Beach agreed to allow the installation and maintenance of a ten mile long and three-mile wide Eruv currently comprised, on the entire 7.1 miles of beach, of mono-poles connected by wire, string, or similar material running north to south along the east side of the dunes and, elsewhere in the City, of seawalls. Inspection and maintenance of the Eruv is the responsibility of the Miami Beach Eruv Council. Currently, the Eruv is regularly inspected every Friday and Erev Yom Kippur via ATV by Miami Beach Eruv Council inspectors.



## Consumer's Certificate of Exemption

Issued Pursuant to Chapter 212, Florida Statutes

DR-14  
R. 01/18

85-8016141551C-9	03/19/2018	03/31/2023	501(C)(3) ORGANIZATION
Certificate Number	Effective Date	Expiration Date	Exemption Category

This certifies that

MIAMI BEACH ERUV COUNCIL INC  
4259 NAUTILUS DR  
MIAMI BEACH FL 33140-2821

is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.



## Important Information for Exempt Organizations

DR-14  
R. 01/18

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.038, Florida Administrative Code (F.A.C.).
2. Your *Consumer's Certificate of Exemption* is to be used solely by your organization for your organization's customary nonprofit activities.
3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
4. This exemption applies only to purchases your organization makes. The sale or lease to others of tangible personal property, sleeping accommodations, or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, F.A.C.).
5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third-degree felony. Any violation will require the revocation of this certificate.
6. If you have questions about your exemption certificate, please call Taxpayer Services at 850-488-6800. The mailing address is PO Box 6480, Tallahassee, FL 32314-6480.

**From:** [Keirn, Don](#)  
**To:** [Daniel Gielchinsky](#)  
**Cc:** [Bernardo Coiffman](#); [ohcv@att.net](mailto:ohcv@att.net); [David Allen](#); [John Di Censo](#); [Daniel Dietch](#)  
**Subject:** RE: Existing Eruv system in Surfside - Confirmation of Approval of Request for Modification  
**Date:** Wednesday, December 10, 2014 4:13:29 PM  
**Attachments:** [image002.png](#)  
[image001.png](#)

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With the same conditions and criteria, agreed.

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**From:** Daniel Gielchinsky [mailto:[dan@dyglaw.com](mailto:dan@dyglaw.com)]  
**Sent:** Wednesday, December 10, 2014 3:28 PM  
**To:** Keirn, Don  
**Cc:** Bernardo Coiffman; [ohcv@att.net](mailto:ohcv@att.net); [david.allen@townofsurfsidefl.gov](mailto:david.allen@townofsurfsidefl.gov); [jdicenso@townofsurfsidefl.gov](mailto:jdicenso@townofsurfsidefl.gov); [ddietch@townofsurfsidefl.gov](mailto:ddietch@townofsurfsidefl.gov)  
**Subject:** RE: Existing Eruv system in Surfside - Confirmation of Approval of Request for Modification

Dear Mr. Keirn,

Thank you very much for taking the time to discuss this matter with me today. As instructed, this e-mail shall confirm that the FDEP has approved the Miami Beach Eruv Council's request below, dated December 8, 2014, for a modification of the approval for the *eruv* system in Surfside to place the entire *eruv* on 10 foot poles at 200-300 foot intervals, as we have done with the *eruv* at the beach access way / crossover points. We will use poles of a similar material and aesthetic as we have used at the crossover points, and try to place the poles in discrete locations where possible.

By copy hereof I am notifying the Surfside officials, Mayor Dietch, Interim Town Manager Di Censo and Police Chief Allen of this approval.

I will provide you with a Notice of Compliance once the project has been completed.

Thank you for your courtesies and cooperation.



Daniel Y. Gielchinsky, P.A.  
1177 Kane Concourse, Suite 302  
Bay Harbor Islands, FL 33154  
Phone: 305-763-8708  
[www.dyglaw.com](http://www.dyglaw.com)

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# *State of Florida*

## *Department of State*

I certify from the records of this office that MIAMI BEACH ERUV COUNCIL, INC. is a corporation organized under the laws of the State of Florida, filed on March 3, 1988.

The document number of this corporation is N25169.

I further certify that said corporation has paid all fees due this office through December 31, 2013, that its most recent annual report/uniform business report was filed on October 8, 2013, and its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

*Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capital, this  
the Eighth day of October, 2013*



*Ken DeFoner*  
*Secretary of State*

Authentication ID: CC9761652701

To authenticate this certificate, visit the following site, enter this ID, and then follow the instructions displayed.

<https://efile.sunbiz.org/certauthver.html>