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RESOLUTION
NUMBER 2020-019

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, DECLARING A LOCAL STATE OF EMERGENCY RELATED TO NOVEL CORONAVIRUS DISEASE 2019 ("COVID-19").

RECITALS

WHEREAS, the World Health Organization (WHO) declared a public health emergency of international concern related to Novel Coronavirus Disease 2019 ("COVID-19"); and

WHEREAS, the Centers for Disease Control and Prevention has declared the potential public health threat posed by COVID-19 as 'high', both in the United States and throughout the world; and

WHEREAS, on February 24, 2020, Charlotte County began its proactive emergency actions and enhanced its monitoring; and

WHEREAS, Governor Ron DeSantis and public health officials within the State Department of Health declared a public health emergency exists in Florida on March 1, 2020; and

WHEREAS, on March 11, 2020, the State Division of Emergency Management issued Order 20-002 suspending various Statutes, Rules and Order and prohibiting certain individuals from visiting healthcare facilities such as Assisted Living Facilities, nursing homes, etc.; and

WHEREAS, on March 13, 2020, President Donald Trump declared a national state of emergency concerning COVID-19; and

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
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WHEREAS, under current circumstances, certain people will have increased risk of infection, for example healthcare, first responders, and emergency medical services workers caring for patients with COVID-19, the elderly, those with underlying health issues and other close contacts of persons with COVID-19; and

WHEREAS, it is the duty of Charlotte County to take protective measures – including development of incident action response plans, procurement of personal protective equipment, pandemic preventative training and exercise coordination, and similar activities to support the public health and safety of the community; and

WHEREAS, Section 252.38(3)(a)(5), Florida Statutes, and Chapter 2-1 of the Charlotte County Code, authorize the County to declare a Local State of Emergency and to waive the procedures and formalities otherwise required of political subdivisions of laws; and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida:

Section 1. **Declaration of Local State of Emergency.** The Novel Coronavirus Disease 2019 (“COVID-19”) poses a serious threat to the health of the residents and guests of Charlotte County. A Local State of Emergency is declared effective immediately. The Local State of Emergency will remain in effect within unincorporated Charlotte County, Florida for seven (7) days from the date hereof and may be extended as necessary in seven (7) days increments.

Section 2. **Waiver of Procedures and Formalities Otherwise Required.** Due to the Local State of Emergency, effective immediately, the procedures and formalities required of the County by law or ordinance are hereby waived as they pertain to:

- a. Performance of public work and taking whatever prudent action is necessary to ensure the health, safety and welfare of the community;
- b. Entering into contracts;
- c. Incurring obligations;
- d. Employment of permanent and temporary workers;
- e. Utilization of volunteer workers;
- f. Rental of equipment;
- g. Acquisition and distribution, with or without compensation, of supplies, materials and facilities; and
- h. Appropriation and expenditure of public funds.

Section 3.

a. Pursuant to Section 2-1-43, Charlotte County Code, this Resolution authorizes the County Administrator, and, in his absence, the Deputy County Administrator or the Assistant County Administrator or in their absences, the Director of the Office of Emergency Management, to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. All rules and orders promulgated hereunder must be filed with the Clerk of Court. This declaration further authorizes the County Administrator, and in his absence, the Deputy County Administrator or the Assistant County Administrator, and in their absences, the Director of the Office of Emergency Management, to utilize all lawful authority granted to Charlotte County by the Charlotte County Comprehensive Emergency Management Plan and by Federal, State or County Emergency Managements Laws, Rules, Regulations, Orders,

and including, but not limited to, Section 252.46 and Section 252.38(3), Florida Statutes and Chapter 2-1 of the Charlotte County Code. Any such actions taken will be reported to or reviewed by the Board of County Commissioners as is practical under the circumstances.

b. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order specifically promulgated under this declaration shall be suspended during rule or order specifically promulgated under this declaration shall be suspended during the period of time and to the extent that such conflict exists.

c. The County Administrator or in his absence, his designee may suspend, toll or extend the time requirements, notice requirements, and deadlines for final action on application for permits, licenses, rates and other approvals under the Charlotte County Code, to the extent necessary to accommodate the emergency.

Section 4. The foregoing enumeration is not exclusive; the County Administrator shall have power to do all things necessary as conditions dictate, as provided in Chapter 252, Florida Statutes.

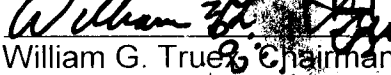
Section 5. As provided in Chapter 252, Florida Statutes, all normal formalities related to procurement, hours of employment of County employees, notice provisions and other procedures usually followed or required by law are hereby waived.

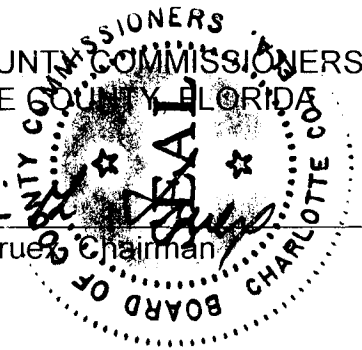
Section 6. All actions taken by the County Administrator, or taken at the direction of the County Administrator, on or after March 17, 2020, are hereby ratified.

Section 7. **Alterations or Rescission.** This declaration of a Local State of Emergency may be altered or rescinded either by the issuance of a subsequent Declaration or by an appropriate Resolution of the Board of Commissioners.

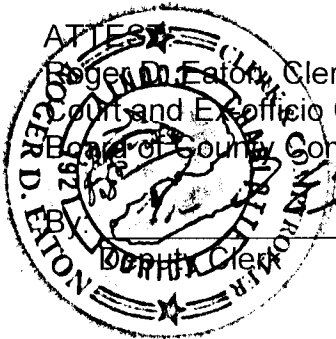
PASSED AND DULY ADOPTED this 17th day of March, 2020.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

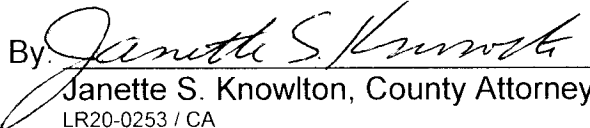
By: 
William G. True, Chairman



ATTEST
Roger D. Eaton, Clerk of the Circuit
Court and Ex-officio Clerk of the
Board of County Commissioners



APPROVED AS TO FORM
LEGAL SUFFICIENCY:

By: 
Janette S. Knowlton, County Attorney
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