

WALTON COUNTY, FLORIDA
Board of County Commissioners

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RESOLUTION 2020-35

WHEREAS, the Board of County Commissioners of Walton County is empowered by Chapter 252 of the Florida Statutes to declare a state of local emergency;

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and other potential methods, and presents symptoms similar to those of influenza;

WHEREAS, conditions exist requiring the extension of the initial declaration of a state of local emergency because of the propensity of the novel coronavirus to spread person to person and also because the novel coronavirus physically is causing property damage due to its proclivity to attach to surfaces for prolonged periods of time;

WHEREAS, in December of 2019, a new and substantial outbreak of COVID-19 emerged in Wuhan, China, and has since spread rapidly throughout the world, including the United States, and more specifically Walton County and other Counties in the State of Florida;

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared COVID-19 a pandemic;

WHEREAS, the Center 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, a National State of Emergency was declared by the President of the United States on March 13, 2020;

WHEREAS, a State of Emergency for the State of Florida was declared by the Governor by Executive Order 20-51 (March 1, 2020), 20-52 (March 9, 2020), and 20-68 (March 17, 2020), authorizing in accordance with Section 252.38, Florida Statutes, each political subdivision within the State to "waive the procedures and formalities otherwise required of the political subdivision by law pertaining to... [the] (p)erformance of public work and taking whatever prudent action to ensure the health, safety, and welfare of the community;

WHEREAS, the Walton County Board of County Commissioners declared a Local State of Emergency on March 16, 2020, which been extended to the present date;

WHEREAS, on March 17, 2020, the Governor issued Executive Order 20-68 which states that the Governor “support[s] beach closures at the discretion of local authorities.”

WHEREAS, on March 27, 2020, the Governor issued Executive Order 20-87 which ordered the suspension of vacation rental operations, and on April 10, 2020, the Governor extended Executive Order 20-87 through Executive Order 20-103;

WHEREAS, on April 1, 2020, the Governor issued Executive Order 20-91 which ordered all persons in Florida to limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities;

WHEREAS, Executive Order 20-91 and 20-103 are both set to expire on April 30, 2020;

WHEREAS, Emergency Ordinance 2020-09, which closed the beaches in Walton County, is set to expire on April 30, 2020;

WHEREAS, the Walton County Board of County Commissioners finds and determines that adoption of Emergency Ordinance 2020-09 and the suspension of vacation rental operations through Executive Orders 20-87 & 20-103 were successful in reducing the spread of COVID-19 in Walton County, resulting in two several day periods in the month of April with no new cases reported in Walton County;

WHEREAS, the Walton County Board of County Commissioners further finds and determines that the COVID-19 pandemic is a fluid emergency situation which may require loosening or tightening restrictions based on the number of cases, hospitalizations, rates of infection, and limited resources of the County, Emergency Medical Personnel, Walton County Sheriff’s Office, Florida Department of Health, and area medical providers;

WHEREAS, it is the duty of Walton County to take protective measures - including activation of the emergency operation center, procurement of personal protective equipment, consequence management, and similar activities to support the public health and safety of the community;

WHEREAS, Walton County is encountering an impending serious threat to the health of the residents and visitors of Walton County;

WHEREAS, Walton County began implementing preparations to address the serious public health threat on January 31, 2020;

WHEREAS, certain specialized equipment and personnel may be required to adequately respond to the needs of its citizens;

WHEREAS, other measures may have to be taken in order to mitigate the potential for causing further threatening conditions within the County;

WHEREAS, it is necessary and appropriate to take action to ensure that COVID-19 remains controlled, and that residents and visitors in Florida remain safe and secure;

WHEREAS, the Board of County Commissioners of Walton County resolves that it is necessary to declare a state of emergency from 2:30pm (C.D.T.) April 28, 2020 and ending on May 5, 2020, at 2:30pm (C.D.T.) because the County will be impacted to such an extent that resources from the State will be needed to assist with the emergency response and recovery, and the County also needs all the powers available to a County under a State of Emergency declaration.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Walton County, Florida, does hereby proclaim:

1. That a local state of emergency exists in Walton County, Florida, from 2:30pm (C.D.T.) April 28, 2020 and ending on May 5, 2020, at 2:30pm (C.D.T.) due to the global COVID-19 pandemic;
2. That the Board of County Commissioners of Walton County, Florida, hereby enlists the aid of the Honorable Governor of the State of Florida, the State Cabinet, and our Federal Representatives in Washington, D.C., for assistance in its time of need; and
3. That pursuant to Section 252.38(3), Florida Statutes (2019), during this State of Emergency, the Walton County Board of County Commissioners hereby waives the procedures and formalities otherwise required of Walton County by law pertaining to:
 - a. Performance of public works, 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,

to the extent necessary to carry out County functions necessary to ensure the health, safety, and welfare of the community and to protect lives and property.

4. As of 12:01 a.m. May 1, 2020, the beaches within Walton County, Florida are open with the following restrictions:
 - a. All permits for vending on the beach shall be suspended and no vending on the beach shall be permitted while this Local State of Emergency remains in effect;
 - b. All special events on the beach shall be suspended and no special events on the beach shall be permitted while this Local State of Emergency remains in effect;
 - c. All permits for fires on the beach shall be suspended and no fire permits shall be issued while this Local State of Emergency remains in effect;
 - d. Individuals on the beach shall limit their activities to the following: walking, jogging, fishing, swimming, paddle boarding, surfing, boating;
 - e. Groups of more than ten (10) people are prohibited, and a minimum of six (6) foot social distancing shall apply;
5. All Walton County Parks and the Eagle Springs Golf Course are open with the restriction that groups of more than ten (10) people are prohibited, and a minimum of six (6) foot social distancing shall apply;
6. A violation of this Emergency Declaration shall constitute a criminal offense and shall be punishable as provided in Section 252.50, Florida Statutes;
7. This Emergency Declaration shall supersede all inconsistent or conflicting Ordinances, Resolutions or Declarations;
8. If any portion of this Emergency Declaration is determined by any Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of this Emergency Declaration. If any Court determines that this Emergency Declaration, or any portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstance(s), such determination shall not affect the applicability hereof to any other individual, group, entity, property, or circumstance;
9. That this local State of Emergency shall exist and remain in effect from 2:30pm (C.D.T.), April 28, 2020, to May 5, 2020, at 2:30pm (C.D.T.) and may be extended and/or modified as provided by law.

DONE AND ORDERED this 28th day of April, 2020.

[Signature on following page]

ATTEST:

Dori Conde

Alex Alford, Clerk of Circuit Court
And County Comptroller



W.N. Chapman

W.N. "Bill" Chapman, Chair
WALTON COUNTY BOARD OF
COUNTY COMMISSIONERS,
(or his designee authorized pursuant to
Walton County's Emergency
Management Plan)