

R E S O L U T I O N  
NUMBER 2022 –

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AN EMERGENCY RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, DECLARING A STATE OF LOCAL EMERGENCY AND PROVIDING FOR EMERGENCY GOVERNMENTAL OPERATIONS RELATED TO HURRICANE IAN.

RECITALS

WHEREAS, Governor Ron DeSantis issued Executive Order (EO) No. 22-218 on September 23, 2022, declaring a State of Emergency in twenty-four counties in the Florida Peninsula including Charlotte County due to the threat of Tropical Depression Nine; and

WHEREAS, that Executive Order was subsequently amended on September 24, 2022 by EO No. 22-219 to include all of the State of Florida due to the strengthening of then Tropical Storm Ian; and

WHEREAS, Ian is now a hurricane and rapid intensification is expected over next day or so, and the County is in the projected path/cone.

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

Section 1. A state of local emergency is hereby declared due to the imminent threat to Charlotte County posed by Hurricane Ian, based upon the potential to create excessive rainfall, storm surge, strong winds, hazardous seas and isolated tornadic activity, all of which may pose a serious threat to public health and safety and cause serious flooding, beach erosion and property damage.

Section 2. An emergency exists such that the immediate enactment of this resolution pursuant to Section 2-1-43, Charlotte County Code, is necessary.

Section 3. The Board of County Commissioners hereby asserts all powers available to Charlotte County government and all Charlotte County constitutional officers provided in Chapter 252, Florida Statutes.

Section 4. The County Administrator and his designees are provided plenary authority on behalf of Charlotte County Board of County Commissioners to take all actions necessary for protection of persons and property provided in Chapter 252, Florida Statutes, and pursuant to Section 2-1-43 of the Code of Laws and Ordinances of Charlotte County, Florida.

Section 5. Specifically, but not for the purpose of limitation, the County Administrator shall have the power to:

- a. direct or compel evacuation of designated areas in his discretion;
- b. prescribe orders related to transportation and evacuation routes;
- c. control ingress and egress to emergency area;
- d. suspend sale, dispensing and transportation of alcoholic beverages, firearms, explosives and combustibles;
- e. make provision for temporary emergency housing;
- f. take measures for limiting or suspending lighting, gas, water, electric and water and sewer utilities;
- g. employ all County forces and volunteers necessary to the emergency;
- h. co-ordinate with other governmental agencies;

- i. enter contracts;
- j. perform public works;
- k. incur obligations;
- l. waive land use codes and regulations;
- m. suspend tipping fees, extend operating hours of the landfill.

Section 6. 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 7. 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 8. All actions taken by the County Administrator, or taken at the direction of the County Administrator, on or after September 26, 2022, are hereby ratified.

Section 9. This resolution shall take effect immediately upon signing and shall terminate automatically seven (7) days from this date unless terminated earlier or extended by a document of equal dignity.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 26th day of September, 2022.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By: \_\_\_\_\_  
William G. Truex, Chairman

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

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

By:  \_\_\_\_\_  
Janette S. Knowlton, County Attorney  
LR22 – 0805 / CA