

CHARLOTTE COUNTY EMERGENCY ORDER NO. 2024-173

**AN ORDER PROHIBITING THE SALE OF ALCOHOL
AND IMPLEMENTING A CURFEW DURING THE DECLARED
STATE OF EMERGENCY FOR TROPICAL STORM MILTON**

WHEREAS, Governor Ron DeSantis issued Executive Order (EO) No. 24-214 on October 5, 2024, declaring a state of emergency for 35 counties in the Florida Peninsula due to the threat that Tropical Storm Milton poses; and

WHEREAS, the Board of County Commissioners of Charlotte County, Florida issued a Resolution declaring a state of local emergency, dated October 6, 2024; and

WHEREAS, the Resolution, in accordance with Chapter 252, Florida Statutes and Chapter 2-1 of the Charlotte County Code of Ordinances, authorizes the County to take all necessary action and issue any necessary orders to protect human life and property; and

WHEREAS, these Executive Orders, in accordance with Section 252.38, Florida Statutes authorize political subdivisions to take whatever prudent action is necessary to ensure the health, safety, and welfare of the community; and

WHEREAS, all such orders when filed with the Clerk of Court have the force of law, and all existing laws, ordinances, and rules which are in conflict are suspended to the extent of such conflict pursuant to Section 252.46(2), Florida Statutes; and

WHEREAS, a violation of a duly promulgated order is a second degree misdemeanor punishable in accordance with Section 252.50, Florida Statutes; and

WHEREAS, the National Hurricane Center advises that Tropical Storm Milton has the potential to cause catastrophic damage to the County's infrastructure and to cause significant debris to impede roadways, flooding, etc.; and

WHEREAS, the County's Emergency Management Director has recommended the imposition of a dusk to dawn curfew within the geographic boundaries of Charlotte County (within unincorporated Charlotte County) until the Local State of Emergency is lifted in order to ensure the protection of life and property; and

NOW THEREFORE, it is hereby ordered:

Section 1. The sale of alcoholic beverages is prohibited within the geographic boundaries of unincorporated Charlotte County daily from 9 p.m. until 6 a.m. beginning on October 9th, 2024 and continuing until this Emergency Order is rescinded or the Resolution declaring a State of Local Emergency is lifted.

Section 2. There is hereby implemented a curfew within the geographic boundaries of unincorporated Charlotte County daily from 9 p.m. until 6 a.m. beginning on October 9th, 2024 and continuing until this Emergency Order is rescinded or the


Resolution Declaring a Local State of Emergency is lifted. This curfew does not apply to law enforcement personnel; federal, state and local firefighting, emergency medical and emergency management personnel; County employees detailed to work on the emergency, Salvation Army and Red Cross personnel and volunteers; National Guard personnel; electric utility personnel; water and wastewater utility personnel; communications utility personnel; individuals involved in medical emergencies; employees or agency volunteers of non-governmental organizations officially participating in the emergency response effort assigned to work as a direct result of this emergency, to individuals traveling to their places of employment to report to work and to return to their residences (in accordance with Section 252.46(4), Florida Statutes) and others specifically authorized by the County's Emergency Management Director.

Section 3. The Sheriff of Charlotte County and other Law Enforcement forces (including under mutual aid request, all law enforcement officers of the State and/or military and National Guard personnel) are hereby authorized and directed to enforce this emergency curfew.


Section 4. This Emergency Order will take effect upon filing with the Clerk of Courts of Charlotte County in accordance with Section 252.46(2), Florida Statutes.

Section 5. Pursuant to Section 252.46(3), Florida Statutes, this Order as well as all local state emergency orders shall be available on a dedicated worldwide page accessible through a conspicuous link on the County's website homepage.

DONE AND ORDERED in Charlotte County, Florida, this 9th day of October, 2024.




Hector Flores,
County Administrator (or his designee)



Patrick Fuller,
Emergency Management Director

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: 

Janette S. Knowlton, County Attorney
LR24-0907 / ca

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

By: 

Michelle S. Edwards
Deputy Clerk

Flores, Hector

From: Lewis, Emily
Sent: Wednesday, October 9, 2024 9:11 AM
To: Flores, Hector
Subject: FW: revised d2
Attachments: RES Curfew Draft v2.docx



Emily Lewis
Deputy County Administrator
Charlotte County Board of County Commissioners
941-743-1944
CharlotteCountyFL.gov
Delivering Exceptional Service

From: Knowlton, Janette <Janette.Knowlton@charlottecountyfl.gov>
Sent: Sunday, October 6, 2024 3:22 PM
To: Flores, Hector <Hector.Flores@charlottecountyfl.gov>; Lewis, Emily <Emily.Lewis@charlottecountyfl.gov>; Jubb, Claire <Claire.Jubb@charlottecountyfl.gov>
Cc: David, Thomas <Thomas.David@charlottecountyfl.gov>; Austria, Ceres <Ceres.Austria@charlottecountyfl.gov>
Subject: FW: revised d2

Emily or Claire, once we get this finalized (alcohol ban or not and timing), please go ahead and sign it for me. This email serves as my authorization for you to sign my name (or your name for me) whichever you are more comfortable with.

Please make sure Brian is aware of Section 5 – must be posted on county’s webpage and filed/recorded by clerk within 3 days of issuance. Can you also please make sure clerk’s rep is aware of that timing requirement.



Janette S. Knowlton | County Attorney
OFFICE OF THE COUNTY ATTORNEY
18500 Murdock Circle, Port Charlotte, FL 33948
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941.743.1550 fax
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Delivering Exceptional Service

From: Knowlton, Janette
Sent: Sunday, October 6, 2024 3:18 PM
To: sheriff@ccsofl.net; wprummell@ccsofl.net; Terry Cochran <tcochran@ccsofl.net>; Carr, Darol <dcarr@farr.com>; Flores, Hector <Hector.Flores@charlottecountyfl.gov>; Lewis, Emily <Emily.Lewis@charlottecountyfl.gov>; Jubb, Claire <Claire.Jubb@charlottecountyfl.gov>

Cc: David, Thomas <Thomas.David@charlottecountyfl.gov>; Austria, Ceres <Ceres.Austria@charlottecountyfl.gov>
Subject: FW: revised d2

Here is the final draft of the proposed curfew. Please let me know in advance if you want to delete alcohol sales or include it or if you want any other changes. Thanks and stay safe.



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