

## **RESOLUTION 2022-14**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF ZOLFO SPRINGS FLORIDA, DECLARING A STATE OF EMERGENCY; AUTHORIZING AND DIRECTING THE TOWN MANAGER TO TAKE WHATEVER PRUDENT ACTIONS WHICH MAY BE NECESSARY TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE TOWN AND CUSTOMERS OF THE TOWN'S UTILITIES SYSTEMS PURSUANT TO THIS DECLARATION; RATIFYING AND AFFIRMING SUCH ACTIONS TAKEN BY THE TOWN MANAGER PRIOR TO THIS DECLARATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, subtropical storm Nicole is predicted to hit Florida this week, and may reach hurricane strength before hitting Florida; and,

**WHEREAS**, on November 7<sup>th</sup> Governor DeSantis signed Executive Order 22-218 declaring state of emergency exists in several counties, including Hardee County, and finding that the special duties and responsibilities resting upon local agencies and other governmental bodies such as Zolfo Springs, in responding to this emergency may require them to suspend or waive certain statutes, rules, ordinances, and orders they administer; and

**WHEREAS**, the Town of Zolfo Springs is still affected by rising waters and other damage of Hurricane Ian; and

**WHEREAS**, Section 252.38, Florida Statutes, provides for emergency management powers of political subdivisions of the State of Florida, including, without limitation, counties such as Hardee County, municipalities such as the Town of Zolfo Springs (Town); and

**WHEREAS**, pursuant to Section 252.38(3)(a) Florida Statutes, empower municipalities to declare a state of local emergency for seven (7) days, which may be extended, as necessary in seven (7) day increments; and

**WHEREAS**, Section 252.38(3)(a), Florida Statutes, empowers municipalities to waive the procedures and formalities otherwise required by law pertaining 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 obligation;
- 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;

H. Appropriation and expenditure of public funds.

**WHEREAS**, it is necessary and appropriate to take action to ensure that any potential damage from Tropical Storm (possibly hurricane) Nicole can be remediated and debris cleaned up, emergency housing and supplies obtained, and utility restoration can be effective and that residents and visitors in the Town of Zolfo Springs, remain safe and secure;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF ZOLFO SPRINGS, FLORIDA, THAT:**

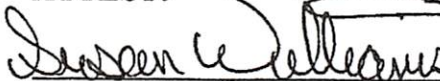
1. A state of local emergency is hereby declared for all of the Town of Zolfo Springs, Florida effective 9<sup>th</sup> November, 2022 for a period of seven (7) days, that is, until 11/16, 2022, however, the Mayor and Town Manager may extend this declaration by concurrence for any reasonably necessary additional seven (7) day periods, until the next Commission meeting, at which this declaration may be terminated, or continue to be left in place as provided herein.
2. The Town Manager is hereby authorized and directed to take whatever prudent actions that may be necessary to protect the health, safety, and welfare of the citizens of the Town and customers of the Town's utilities systems.
3. The procedures and formalities otherwise required by law pertaining to the actions enumerated as A through H herein above are hereby waived for the duration of this declaration and any extensions thereof. The Town Manager may take such actions on behalf of the Town. The Town Manager shall attempt to keep the Mayor informed of actions taken under this authority, and extensions of the declaration.
4. Upon its adoption by the Town Commission, this resolution shall be effective as of 11/09, 2022.

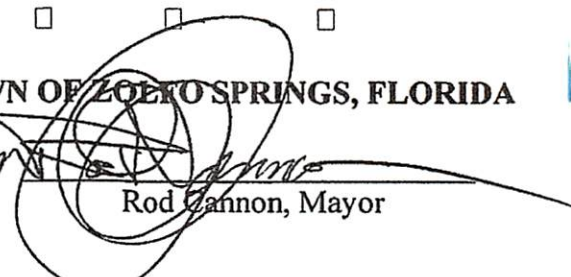
This Resolution was read at the regular ☐ special ☒ session of the Town Commission held on 11/9/2022. The vote was as follows:

	Yes	No	Abstain	Absent
Commissioner/Mayor Cannon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner DeLeon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Schofield	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Zuniga	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner White	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST:

TOWN OF ZOLFO SPRINGS, FLORIDA

  
Susan Williamson, Town Clerk

  
Rod Cannon, Mayor

APPROVED AS TO FORM:

  
Gerald T. Buhr, Town Attorney