

RESOLUTION  
NUMBER 2021 –

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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 TROPICAL STORM ELSA

WHEREAS, Governor Ron DeSantis issued Executive Order No. 21-150 declaring a state of emergency due to the threat that Hurricane Elsa posed to Florida's Gulf of Mexico; and

WHEREAS, while Hurricane Elsa has now been downgraded to Tropical Storm Elsa and poses no serious threat to Charlotte County, the County desires to take timely precautions to protect the community, critical infrastructure, and the general welfare of its residents and to be positioned to assist other storm evacuees upon request by the State,

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 Tropical Storm Elsa, based upon the potential to create excessive rainfall, higher tides and gale-force winds, 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.

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 July 5, 2021, 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.

PASSED AND DULY ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_(month), 20\_\_.

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 to the  
Board of County Commissioners

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

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

By: \_\_\_\_\_  
Janette S. Knowlton, County Attorney