



City of North Port

ADMINISTRATIVE DECLARATION OF FIFTH EXTENSION OF THE LOCAL STATE OF EMERGENCY PURSUANT TO ORDINANCE NO. 2020-38

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

WHEREAS, on March 1, 2020, pursuant to Florida Statutes Chapter 381, Governor Ron DeSantis issued Executive Order Number 20-51, directing Florida's State Health Officer and Surgeon General to declare a public health emergency related to COVID-19 and to take any action necessary to protect the public health; and

WHEREAS, on March 9, 2020, pursuant to Florida Statutes Chapter 252, Governor Ron DeSantis issued Executive Order Number 20-52, declaring a state of emergency in the State of Florida; directing the Division of Emergency Management to execute the State's Comprehensive Emergency Management Plan; and authorizing each political subdivision within the State of Florida, pursuant to Florida Statutes Section 252.38(3)(a), to waive certain procedures and formalities otherwise required by law that are in the interest of the public health, safety, and welfare; and

WHEREAS, on September 4, 2020, Governor Ron DeSantis issued Executive Order Number 20-213, extending for 60 days the state of emergency declared in Executive Order Number 20-52, as extended by Executive Order Numbers 20-114 and 20-166, and as amended by Executive Order Number 20-192; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a national emergency as of March 1, 2020 related to COVID-19; and

WHEREAS, on March 25, 2020, President Donald J. Trump declared that a major disaster exists in the State of Florida and ordered federal assistance to supplement State and local recovery efforts in the areas affected by the COVID-19 pandemic beginning on January 20, 2020, and continuing; and

WHEREAS, Florida Statutes Section 252.38(3)(a) gives authority to public subdivisions to declare and enact a state of local emergency for a period of up to seven (7) days and to take certain measures that are in the interest of the public health, safety, and welfare; and

WHEREAS, on March 17, 2020, the City Commission adopted Ordinance No. 2020-18, declaring a state of local emergency caused by the threat posed by COVID-19, and granted the City Manager or designee the authority to take actions in accordance with Florida Statutes Section 252.38(3)(a), including extending the state of local emergency in seven-day increments; and

WHEREAS, pursuant to Ordinance No. 2020-18, the City Manager issued twenty-four administrative declarations, each extending the state of local emergency for an additional seven days; and

WHEREAS, on September 1, 2020, the Acting City Manager issued his Administrative Declaration of Twenty-Fourth Extension of the Local State of Emergency Pursuant to Ordinance No. 2020-18, and the actions therein expired by operation of law on September 8, 2020; and

WHEREAS, on September 9, 2020, the City Commission of the City of North Port, Florida adopted Ordinance No. 2020-38, declaring a state of local emergency; authorizing the City Manager or designee the power and authority set forth in Florida Statutes Section 252.38(3)(a), and the authority to take any and all action deemed necessary during this state of emergency; waiving the standard procedures and formalities required by law pertaining to those matters identified in Florida Statutes Section 252.38(3)(a)5, including but not limited to the City Manager’s procurement of goods and services requiring emergency action; and authorizing the City Manager or the City Manager’s designee to extend this state of local emergency in seven-day increments; and

WHEREAS, the City Manager issued an administrative declaration extending the state of local emergency on September 16, 2020; September 23, 2020; September 30, 2020; and October 7, 2020; and

WHEREAS, the COVID-19 pandemic’s potential for transmission throughout the population, attachment to surfaces for prolonged periods of time thereby causing property damage and increasing the potential for transmission, and increased strain on existing health care resources creates a threat of significant public and private financial loss and poses an immediate and present danger to the public health, safety, or welfare to the City of North Port, Florida, and its residents, thereby warranting the extension of this local state of emergency.

THEREFORE, IN HIS EMERGENCY AUTHORITY, THE CITY MANAGER OF THE CITY OF NORTH PORT, FLORIDA DECLARES:

1. The local state of emergency related to COVID-19 is extended as permitted by law and authorized by Ordinance No. 2020-38.
2. By this declaration, the City of North Port invokes the emergency management powers granted to it pursuant to Section 252.38, Florida Statutes, its adopted emergency management plan, and all related Executive Orders of the Governor of the State of Florida.
3. By this declaration, the City Manager invokes all powers and authority granted to him or his designee in Ordinance No. 2020-38.

This declaration is effective at 3:00 p.m. on October 14, 2020 and remains in effect until it expires by operation of law or until the emergency conditions no longer exist as determined by the City Manager.

DECLARED AND FILED WITH THE CLERK OF THE CITY OF NORTH PORT, FLORIDA ON OCTOBER 14, 2020 AT
9:40 A.M./P.M. BY



Peter D. Lear, CPA, CGMA
City Manager

