

RESOLUTION 2021-01

**EMERGENCY RESOLUTION BY THE CITY COMMISSION OF
THE CITY OF LAKE WALES EXTENDING THE DECLARED A
STATE OF EMERGENCY RELATING TO CORONAVIRUS
DISEASE COVID-19**

WHEREAS, the World Health Organization previously declared COVID-19 a Public Health Emergency of International Concern; and

WHEREAS, on March 1, 2020 the Governor of the State of Florida issued Executive Order number 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and

WHEREAS, on March 9, 2020 the Governor of the State of Florida issued Executive Order number 20-52 declaring that a state of emergency exists in the State of Florida; and

WHEREAS, on May 8, 2020 the Governor of the State of Florida issued Executive Order number 20-114 continuing that state of emergency for another 60 days for the State of Florida and has since extended it; and

WHEREAS, on November 3, 2020 the Governor of the State of Florida issued Executive Order number 20-276 continuing that state of emergency for another 60 days for the State of Florida and has since extended it; and

WHEREAS, on December 29, 2020 the Governor of the State of Florida issued Executive Order number 20-316 continuing that state of emergency for another 60 days for the State of Florida and has since extended it; and

WHEREAS, the Polk County Board of County Commissioners declared a local state of emergency for Polk County on March 11, 2020 and has extended their State of Emergency since then; and

WHEREAS, the incorporated area of the City of Lake Wales is included in the emergency areas as declared by the Polk BOCC and the Governor of the State of Florida; and,

WHEREAS, COVID-19 constitutes a clear and present threat to the health and welfare of the People of the City of Lake Wales; and

WHEREAS, the City of Lake Wales is threatened by COVID-19 because of the apparent ability of the virus to spread rapidly among humans through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, Mayor Fultz of the City of Lake Wales originally declared a State of Emergency for the City of Lake Wales on March 13, 2020 and has extended it three times; and

WHEREAS, the City Commission approved Resolution 2020-11 declaring a State of Emergency at its meeting on April 8, 2020 to last until May 5th; and

WHEREAS, the City Commission approved Resolution 2020-15 declaring a State of Emergency at its meeting on May 5th, 2020 to last until June 2nd 2020; and

WHEREAS, the City Commission approved Resolution 2020-20 declaring a State of Emergency at its meeting on June 2nd, 2020 to last until July 2nd 2020; and

WHEREAS, the City Commission approved Resolution 2020-22 declaring a State of Emergency at its meeting on July 7th, 2020 to last until August 7th, 2020; and

WHEREAS, the City Commission approved Resolution 2020-26 declaring a State of Emergency at its meeting on August 4th, 2020 to last from August 7th, 2020 until September 7th, 2020; and

WHEREAS, the City Commission approved Resolution 2020-33 declaring a State of Emergency at its meeting on September 9th, 2020 to last from September 9th, 2020 until October 9th, 2020; and

WHEREAS, the City Commission approved Resolution 2020-36 declaring a State of Emergency at its meeting on October 6th, 2020 to last from October 9th, 2020 until November 9th, 2020; and

WHEREAS, Mayor Fultz of the City of Lake Wales extended the declared a State of Emergency for the City of Lake Wales on November 10th, 2020 for seven days to expire on November 17th; and

WHEREAS, the City Commission approved Resolution 2020-39 declaring a State of Emergency at its meeting on November 17th, 2020 to last from November 17th, 2020 until December 17th, 2020; and

WHEREAS, the City Commission approved Resolution 2020-40 declaring a State of Emergency at its meeting on December 15th, 2020 to last from December 17th, 2020 until January 17th, 2021; and

WHEREAS, City of Lake Wales residents should follow the recommendations of the U.S. Centers for Disease Control and Prevention (“CDC”); and

WHEREAS, During the existence of the state of local emergency, the City Manager shall have the powers, duties and responsibilities enumerated in §9-2 of the Lake Wales Code of Ordinances; and

WHEREAS, During the existence of the state of local emergency, the City Manager may exercise the emergency management powers enumerated in §9-5 of the Lake Wales Code of Ordinances; and

WHEREAS, during the existence of the state of local emergency, the City Manager may impose by executive order those restrictions enumerated in §9-7(1) of the Lake Wales Code of Ordinances; and

WHEREAS, The enforcement of any provision, enactment or executive order related to emergency management shall be in accordance with the provisions of §9-9 of the Lake Wales Code of Ordinances.

NOW, THEREFORE, IT IS RESOLVED by the City Commission of the City of Lake Wales on this 19th day of January, 2021, that the above described COVID-19 situation continues to pose a serious threat to the life, health, property, welfare or public peace of the people of the City of Lake Wales and that **a state of local emergency** shall be, and is hereby declared extended with an effective date of January 19, 2021 at 12:01 a.m. until February 19, 2021 which may be extended by the City Commission as necessary within the legal incorporated boundaries of the City of Lake Wales, Polk County, Florida shall be embraced by the provisions of this emergency resolution;

BE IT FURTHER RESOLVED that the City Commission for the City of Lake Wales hereby exercises its statutory authority, and appoints the City Manager as its representative to implement and enforce the provisions of this declaration, and waives the procedures and formalities required by law of a municipal corporation, as authorized in Section 252.38(3)(a)(5), Florida Statutes and the City's home rule powers.

All public officials and employees of the City of Lake Wales are hereby directed to exercise the utmost diligence in discharge of duties required of them for the duration of the emergency and in the execution of emergency laws, regulations and directives, state and local.

All citizens are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and civil emergency/disaster service forces in executing emergency operational plans and to obey and comply with the lawful directions of properly identified public officers.

Approved this 19th day of January, 2021.

CITY OF LAKE WALES

Eugene L. Fultz, Mayor

ATTEST:

Jennifer Nanek, City Clerk