

LEE COUNTY, FLORIDA
EMERGENCY RESOLUTION NO. 22-03-02
EXTENDING A STATE OF LOCAL EMERGENCY
(As per Ordinance 87-01)

WHEREAS, on January 16, 2022, pursuant to Chapter 252, Florida Statutes and Lee County Ordinance 87-01, the Board of County Commissioners of Lee County, Florida, declared a State of Local Emergency for unincorporated and incorporated Lee County in response to tornadoes that moved through Southwest Florida in the early morning, displacing approximately 300 residents; and

WHEREAS, Lee County recognizes the destruction this tornado caused and that this State of Local Emergency is narrowly tailored to serve a compelling public health and safety purposes; and

WHEREAS, this emergency situation requires the County to take all necessary action to ensure the health, safety, and welfare of its residents; and

WHEREAS, Florida Governor Ron DeSantis issued Executive Order Number 22-17 on Friday, January 21, 2022, declaring a State of Emergency exists in Charlotte and Lee Counties for the State of Florida for sixty (60) days in response to the tornadoes on January 16, 2022; and

WHEREAS, §252.38 (3) (a) (5), Florida Statutes, provides authority for a political subdivision to declare a State of Local Emergency in order to take whatever action is necessary to ensure the health, safety, and welfare of the community; and

WHEREAS, Lee County Ordinance No. 87-01, states that when a quorum of the Board of County Commissioners is unable to meet, the Chairperson of the Board of County Commissioners, or the Vice Chairperson in his or her absence, or the County Manager or his designee in the absence of the Chairperson and Vice Chairperson is authorized to declare a State of Local Emergency.

WHEREAS, a state of local emergency shall be declared by written proclamation and signed by the Chairperson, or the Vice Chairperson in his/her absence, or any other Board member present, or by the County Administrator or his/her designee, and automatically expires seven (7) days after the issuance but may be extended by a majority vote of the Board, as necessary, in seven (7) day increments.

NOW THEREFORE, IT IS RESOLVED:

1. The damage from the tornadoes continues to pose a serious threat to the lives and property of the residents of Lee County and that a State of Local Emergency shall be declared, effective immediately, for all unincorporated and incorporated areas within the local boundaries of Lee County, Florida.

2. The Resolution Declaring a State of Local Emergency, Resolution No. 22-01-07 is hereby extended for seven (7) additional days effective on March 8, 2022.

BE IT FURTHER RESOLVED that the Board of County Commissioners hereby exercises its authority and waives the procedures and formalities required by law of a political subdivision, as provided in §252.38 (3) (a) (5), Florida Statutes.

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: 
Cecil L. Pendergrass, Chair

ATTEST:
CLERK OF CIRCUIT COURT

BY: 
Deputy Clerk

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

BY: 
Office of the County Attorney

