

**HARDEE COUNTY
RESOLUTION NO. 2023-07**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HARDEE COUNTY, FLORIDA DECLARING A STATE OF LOCAL EMERGENCY; WAIVING PROCEDURES AND FORMALITIES DURING THE PERIOD OF SUCH EMERGENCY; AUTHORIZING AND DIRECTING THE HARDEE COUNTY EMERGENCY MANAGEMENT DIRECTOR AND COUNTY MANAGER TO TAKE WHATEVER PRUDENT ACTIONS MAY BE NECESSARY TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY PURSUANT TO THIS DECLARATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the weather system presently identified as Sub-Tropical Storm Nicole by the National Hurricane Center (“Nicole”) poses a serious potential threat to the residents and property of Hardee County (the “County”); and

WHEREAS, the current forecast error of the National Hurricane Center does not allow for a precise track of Nicole to determine the threat level from wind damage or rain or the related protective measures required; and

WHEREAS, Nicole has the potential for causing substantial damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings and areas; and

WHEREAS, the Governor of the State of Florida, in Executive Order 22-253, found that a state of emergency exists in the State of Florida, including Hardee County; and

WHEREAS, Section 252.38(3)(a)5, Florida Statutes, provides authority for a the County to declare a state of local emergency and to exercise emergency powers for a period of seven (7) days; and

WHEREAS, Section 252.38(3)(a), Florida Statutes empowers political subdivisions to waive the procedures and formalities otherwise required by law pertaining to:

1. Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
2. Entering into contracts;
3. Incurring obligations;
4. Employment of permanent and temporary workers;
5. Utilization of volunteer workers;

6. Rental of equipment;
7. Acquisition and distribution with or without compensation of supplies, materials and facilities;
8. Appropriation and expenditure of public funds; and

WHEREAS, Sub-Tropical Storm Nicole is forecasted to become a Category 1 Hurricane with a potential for up to 95 mph sustained winds as it approaches Florida.

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Hardee County, Florida as follows:

SECTION I. A State of Local Emergency is hereby declared for all of Hardee County, for a period of seven (7) days or until terminated by the Hardee County Emergency Management Director, whichever is earlier.

SECTION II. Procedures and formalities otherwise required by law pertaining to actions enumerated by items one through eight herein are hereby waived for the duration of this declaration.

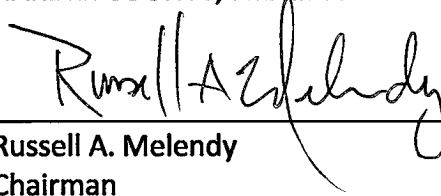
SECTION III. The Hardee County Emergency Management Director and County Manager are hereby authorized and directed to take whatever prudent actions may be necessary to protect the health, safety, and welfare of the community pursuant to this declaration.

SECTION IV. This Resolution shall become effective immediately upon its adoption.

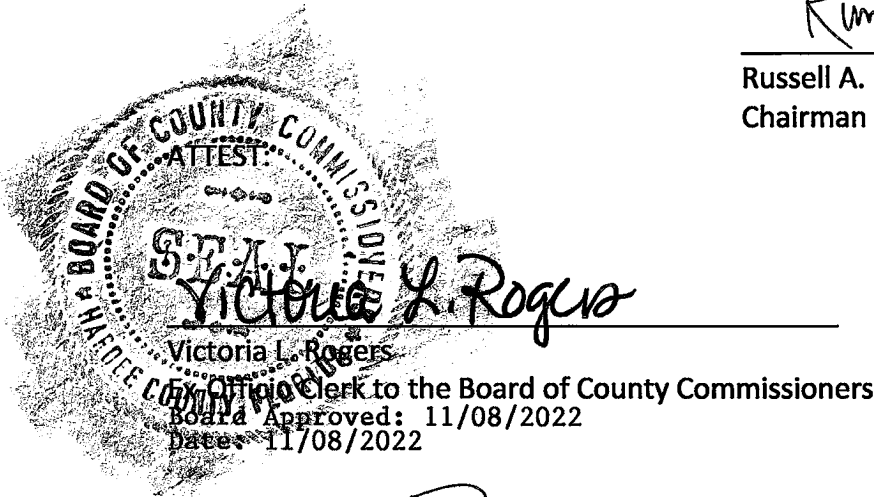
APPROVED AND ADOPTED this 8th day of November 2022 at a special meeting of The Board of County Commissioners of Hardee County, Florida.

[SIGNATURE PAGE TO FOLLOW]

THE BOARD OF COUNTY COMMISSIONERS OF
HARDEE COUNTY, FLORIDA



Russell A. Melendy
Chairman





Victoria L. Rogers
County Clerk to the Board of County Commissioners
Board Approved: 11/08/2022
Date: 11/08/2022

WITNESS:



Lawrence McNaul, County Manager