

**RESOLUTION 2020-40**

**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**, 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 5<sup>th</sup>; and

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

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

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

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

**WHEREAS**, the City Commission approved Resolution 2020-36 declaring a State of Emergency at its meeting on October 6<sup>th</sup>, 2020 to last from October 9<sup>th</sup>, 2020 until November 9<sup>th</sup>, 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 10<sup>th</sup>, 2020 for seven days to expire on November 17<sup>th</sup>; and

**WHEREAS**, the City Commission approved Resolution 2020-40 declaring a State of Emergency at its meeting on November 17<sup>th</sup>, 2020 to last from November 17<sup>th</sup>, 2020 until December 17<sup>th</sup>, 2020; 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 15th day of December, 2020, 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 December 17, 2020 at 12:01 a.m. until January 17, 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;

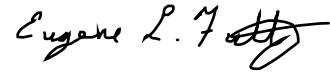
**BE IT FURTHER RESOLVED** that the City Commission for the City of Lake Wales hereby exercises its statutory authority, and appoints the City Manager as its representative to implement and enforce the provisions of this declaration, and waives the procedures and formalities required by law of a municipal 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 15<sup>th</sup> day of December, 2020.

CITY OF LAKE WALES



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Eugene L. Fultz, Mayor

ATTEST:

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Jennifer Nanek, City Clerk