

**RESOLUTION NO. 2024-\_\_\_\_\_**

**A RESOLUTION OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS  
APPROVING THE DECLARATIONS EXTENDING STATE OF LOCAL EMERGENCY 24-01.**

**WHEREAS**, on October 7, 2024, Hurricane Milton was predicted to become a Category 4 Hurricane by the NWS National Hurricane Center (“Hurricane Center”); and

**WHEREAS**, on October 7, 2024, models provided by Hurricane Center predicted Hurricane Milton strengthening beginning on Tuesday, October 8, 2024; and

**WHEREAS**, on October 7, 2024, models predicted Polk County receiving hurricane and tropical storm winds as early as Wednesday, October 9, 2024; and

**WHEREAS**, hurricane and tropical force winds may result in deaths, injuries, widespread and lengthy power outages, potential for tornado outbreaks in rain bands, prolonged heavy rainfall causing extended river flooding and destruction of private property; and

**WHEREAS**, on October 7, 2024, there was an imminent threat of an emergency or disaster affecting Polk County as a result of Hurricane Milton; and

**WHEREAS**, on October 7, 2024, the County Manager issued Declaration of State of Local Emergency 24-01 due to the current forecast models predicating hurricane force winds impacting Polk County as early as Wednesday, October 9, 2024; and

**WHEREAS**, on November 22, 2024, and November 27, 2024, County Manager issued Declarations Extending State of Local Emergency 24-01 due to the impact to Polk County from Hurricane Milton; and

**WHEREAS**, Polk County Ordinance 19-074, requires the Declaration of State of Local Emergency and extensions thereof to be placed on the next Board of County Commissioner’s agenda to be approved by resolution of the Board at the next Board Meeting; and

**NOW THEREFORE, BE IT RESOLVED BY THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:**

The Declarations Extending State of Local Emergency 24-01 issued on December 4, 2024, and December 11, 2024, attached hereto as Composite Exhibit “A,” are hereby approved.

**PASSED AND DULY ADOPTED BY THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS IN REGULAR SESSION THIS 17th DAY OF DECEMBER 2024.**

ATTEST: Stacy M. Butterfield, Clerk

POLK COUNTY, FLORIDA  
Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk

BY: \_\_\_\_\_  
T. R. Wilson, Chair

## **Composite Exhibit “A”**

**DECLARATION EXTENDING STATE OF LOCAL EMERGENCY 24-01**

**WHEREAS**, on October 7, 2024, the County Manager issued State of Local Emergency 24-01 due to the anticipated impact of Hurricane Milton; and

**WHEREAS**, the impact of Hurricane Milton resulted in substantial harm to the population of Polk County and substantial damage to property; and

**WHEREAS**, conditions continue to exist requiring the extension of Declaration of State of Local of Emergency 24-01.

PURSUANT TO THE AUTHORITY OF POLK COUNTY ORDINANCE 19-074 AND §252.38(3)(a), FLORIDA STATUTES, THE STATE OF LOCAL EMERGENCY DECLARED ON OCTOBER 7, 2024, WITHIN THE BOUNDARIES OF POLK COUNTY AND ENCOMPASSING THE EMERGENCY IDENTIFIED AS **HURRICANE MILTON** IS HEREBY EXTENDED.

ACCORDINGLY, THE COUNTY MAY EVOKE ALL OF THE POWERS AS OUTLINED IN CHAPTER 252 FLORIDA STATUTES, POLK COUNTY ORDINANCE 19-074 OR OTHERWISE PROVIDED BY LAW.

FURTHERMORE, PURSUANT TO THE AUTHORITY OF POLK COUNTY ORDINANCE 19-074 AND OTHER APPLICABLE COUNTY ORDINANCES AND STATE LAWS, THE COUNTY MANAGER OF POLK COUNTY AND HIS DESIGNEE(S) ARE HEREBY AUTHORIZED TO, INTER ALIA, TAKE THE FOLLOWING ACTIONS:

1. Utilize all available resources of the county government as reasonably necessary to cope with the emergency.
2. Make provisions for the availability and use of temporary emergency housing and the emergency warehousing of materials.
3. Acquire merchandise, equipment, vehicles or property needed to alleviate the emergency.
4. Authorize County employees or private companies on behalf of Polk County to enter onto private property and roadways including, without limitation, private roads or access, to remove debris generated by the emergency conditions from areas affected by the emergency in order to eliminate immediate threats to life, public health, and safety; eliminate immediate threats of significant damage to improved property; or ensure economic recovery of the affected community to the benefit of the community at large. Debris includes, without limitation, fallen trees and limbs, leaves, plants, bushes, garbage, rubbish, solid waste and other similar items. As used in this Section 4, immediate threats to life, public health, and safety include, without limitation, situations in which solid waste impedes access for emergency vehicles, impede restoration of utilities, or may be hazardous to health in that it promotes the growth of diseases, attract vectors or increase the chance of accidents.

FURTHER, IN ACCORDANCE WITH SECTION 252.38, FLORIDA STATUTES AND POLK COUNTY ORDINANCE 19-074, THE COUNTY HEREBY WAIVES THE PROCEDURES AND FORMALITIES OTHERWISE REQUIRED OF THE COUNTY 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.

PURSUANT TO POLK COUNTY ORDINANCE 19-074 THIS EXTENSION OF THE DECLARATION OF STATE OF LOCAL EMERGENCY SHALL EXPIRE WITHIN SEVEN (7) DAYS UNLESS EXTENDED, AS NECESSARY, IN 7-DAY INCREMENTS.

DATED this 4th day of December 2024.

ATTEST:

STACY M. BUTTERFIELD, CLERK

By: *Stacy M. Butterfield*  
Deputy Clerk

POLK COUNTY  
BOARD OF COUNTY COMMISSIONERS

By: *William Beasley*  
William Beasley, County Manager



## **DECLARATION EXTENDING STATE OF LOCAL EMERGENCY 24-01**

**WHEREAS**, on October 7, 2024, the County Manager issued State of Local Emergency 24-01 due to the anticipated impact of Hurricane Milton; and

**WHEREAS**, the impact of Hurricane Milton resulted in substantial harm to the population of Polk County and substantial damage to property; and

**WHEREAS**, conditions continue to exist requiring the extension of Declaration of State of Local of Emergency 24-01.

PURSUANT TO THE AUTHORITY OF POLK COUNTY ORDINANCE 19-074 AND §252.38(3)(a), FLORIDA STATUTES, THE STATE OF LOCAL EMERGENCY DECLARED ON OCTOBER 7, 2024, WITHIN THE BOUNDARIES OF POLK COUNTY AND ENCOMPASSING THE EMERGENCY IDENTIFIED AS **HURRICANE MILTON** IS HEREBY EXTENDED.

ACCORDINGLY, THE COUNTY MAY EVOKE ALL OF THE POWERS AS OUTLINED IN CHAPTER 252 FLORIDA STATUTES, POLK COUNTY ORDINANCE 19-074 OR OTHERWISE PROVIDED BY LAW.

FURTHERMORE, PURSUANT TO THE AUTHORITY OF POLK COUNTY ORDINANCE 19-074 AND OTHER APPLICABLE COUNTY ORDINANCES AND STATE LAWS, THE COUNTY MANAGER OF POLK COUNTY AND HIS DESIGNEE(S) ARE HEREBY AUTHORIZED TO, INTER ALIA, TAKE THE FOLLOWING ACTIONS:

1. Utilize all available resources of the county government as reasonably necessary to cope with the emergency.
2. Make provisions for the availability and use of temporary emergency housing and the emergency warehousing of materials.
3. Acquire merchandise, equipment, vehicles or property needed to alleviate the emergency.
4. Authorize County employees or private companies on behalf of Polk County to enter onto private property and roadways including, without limitation, private roads or access, to remove debris generated by the emergency conditions from areas affected by the emergency in order to eliminate immediate threats to life, public health, and safety; eliminate immediate threats of significant damage to improved property; or ensure economic recovery of the affected community to the benefit of the community at large. Debris includes, without limitation, fallen trees and limbs, leaves, plants, bushes, garbage, rubbish, solid waste and other similar items. As used in this Section 4, immediate threats to life, public health, and safety include, without limitation, situations in which solid waste impedes access for emergency vehicles, impede restoration of utilities, or may be hazardous to health in that it promotes the growth of diseases, attract vectors or increase the chance of accidents.

FURTHER, IN ACCORDANCE WITH SECTION 252.38, FLORIDA STATUTES AND POLK COUNTY ORDINANCE 19-074, THE COUNTY HEREBY WAIVES THE PROCEDURES AND FORMALITIES OTHERWISE REQUIRED OF THE COUNTY 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.

PURSUANT TO POLK COUNTY ORDINANCE 19-074 THIS EXTENSION OF THE DECLARATION OF STATE OF LOCAL EMERGENCY SHALL EXPIRE WITHIN SEVEN (7) DAYS UNLESS EXTENDED, AS NECESSARY, IN 7-DAY INCREMENTS.

DATED this 11th day of December 2024.

ATTEST:

STACY M. BUTTERFIELD, CLERK

POLK COUNTY  
BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

By \_\_\_\_\_  
William Beasley, County Manager