

**RESOLUTION 2021 - 01**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, GRANTING THE MAYOR, OR IN HIS OR HER ABSENCE OR INABILITY TO ACT, THE VICE-MAYOR OR DESIGNEE, THE AUTHORITY TO DECLARE A STATE OF EMERGENCY AND EXERCISE ALL POWERS AS AUTHORIZED BY CHAPTER 252, FLORIDA STATUTES, AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City Commission of the City of Key Colony Beach, Florida (the "City") desires to ensure that the City will be able to properly function and provide essential services to the residents of the City in the event of a natural, technological, or civil emergency; and

**WHEREAS**, the City Commission of the City of Key Colony Beach, Florida, desires by this Resolution to authorize the Mayor, or in his or her absence or inability to act, the Vice-Mayor or Designee, the authority to declare a state of emergency in the event of a natural, technological or civil emergency.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, AS FOLLOWS:**

**1. Authorizing the Declaration of a State of Emergency**

Pursuant to Chapter 252, Florida Statutes, whenever there shall occur within the City a natural, technological or civil emergency, or the imminent threat of such an emergency that requires immediate and expeditious action, the Mayor, or in his or her absence or inability to act, the Vice-Mayor or Designee, may declare a State of Emergency by means of a proclamation.

The State of Emergency shall continue until the Mayor, or in his or her absence or inability to act, the Vice-Mayor or Designee, finds that the threat or danger no longer exists. In the alternative, the City Commission at an emergency or regularly scheduled public meeting may terminate the state of emergency by proclamation or resolution. In no event, shall any declared state of emergency exceed seven (7) days, unless otherwise extended by the Mayor, Vice-Mayor or City Commission in accordance with the procedures set forth herein. No such extension shall be for greater than a seven (7) day increment.

**2. Declaring a State of Emergency**

The proclamation declaring a state of emergency as described in Section 1 of this Resolution shall provide, at a minimum, the following information:

- a. The nature of the emergency;
- b. The appropriate boundaries of the area or areas affected;
- c. The conditions which have brought upon the emergency, or which make possible the termination;

d. All other additional matters deemed necessary for the Mayor or Vice-Mayor or Designee to carry out the emergency powers prescribed herein.

**3. Emergency Powers**

Upon the declaration of a state of emergency, the Mayor, or in his or her absence or inability to act, the Vice-Mayor or Designee, is authorized to exercise certain emergency powers to the extent necessary to protect the health, safety, and welfare of the City and its residents, as set forth by Florida Statute § 252.38. Emergency powers may include, but are not limited to, authority to alter the schedule of regular meetings, and to approve emergency purchases to the extent permitted by Florida law.

**4. Effect of State of Emergency on City Code**

During a state of emergency, all laws of the City shall remain in full force and effect, except as otherwise provided in this resolution.

**5. Effective Date**

This Resolution shall become effective immediately upon its adoption.

DULY ADOPTED by the City of Key Colony Beach City Commission this 6 day of January, 2021.

Mayor Ron Sutton	NO _____	YES <u>  /  </u>
Vice-Mayor Patricia Trefry	NO _____	YES <u>  /  </u>
Commissioner Kathryn McCullough	NO _____	YES <u>  /  </u>
Commissioner John DeNeale	NO _____	YES <u>  /  </u>
Commissioner Tom Harding	NO _____	YES <u>  /  </u>

*Ron Sutton*  
City of Key Colony Beach, Ron Sutton, Mayor

*Saara Stater*  
Rebecca Todd, City Clerk *Saara Stater*  
Executive Assistant

(SEAL)

