

RESOLUTION 20-R34

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, DECLARING A STATE OF EMERGENCY DUE TO PUBLIC HEALTH CRISIS (CORONAVIRUS A/K/A COVID-19); AUTHORIZING THE DECLARATION OF A CURFEW; AUTHORIZING THE EXERCISE OF EMERGENCY POWERS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 98 of the City of Port St. Lucie Code of Ordinances, the City Manager has authority to declare a state of emergency; and

WHEREAS, Novel Coronavirus Disease 2019 a/k/a COVID-19 is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, the World Health Organization previously declared COVID-19 a Public Health Emergency of International Concern; and

WHEREAS, on March 9, 2020, Florida Governor, Ron DeSantis, declared a state of emergency in Florida to better marshal resources and obtain assistance in combating the virus strain; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a National State of Emergency; and

WHEREAS, on March 17, 2020, St. Lucie County declared a local state of emergency; and

WHEREAS, during the state of emergency it is also necessary to preserve peace and order within the City limits; and

WHEREAS, it is necessary to declare a state of emergency and impose a curfew during this period of emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Resolution.

Section 2. Authorization. The City Council hereby authorizes, approves, and ratifies the City Manager's declaration of a state of emergency in the City of Port St. Lucie. The City Manager and/or his designees are hereby authorized and directed to take all appropriate action necessary to secure and protect the health, safety, and welfare of the citizens of the City of Port St. Lucie during the period of this declared emergency.

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Section 3. Curfew. The City Council hereby authorizes, approves, and ratifies the imposition of a curfew within the City of Port St. Lucie, if necessary, as determined necessary by the City Manager pursuant to Section 98.08 of the City of Port St. Lucie Code of Ordinances.

Section 4. Conflict. If any resolutions, or parts of resolutions, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

Section 5. Severability. The provisions of this Resolution are intended to be severable. If any part of this Resolution is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect.

Section 6. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this 17th day of March, 2020.

CITY COUNCIL

CITY OF PORT ST. LUCIE

By: Jolien Caraballo
for Gregory J. Oravec, Mayor

Jolien Caraballo, Mayor Pro Tem

ATTEST:

Karen A. Phillips
Karen A. Phillips, City Clerk



APPROVED AS TO FORM:

James D. Stokes
James D. Stokes, City Attorney