

**RESOLUTION NUMBER 21-32**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, REPEALING ALL EMERGENCY DECLARATIONS AND RESOLUTIONS REGARDING THE STATE OF EMERGENCY DECLARED IN GOVERNOR DESANTIS' EXECUTIVE ORDER 20-52; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

**WHEREAS**, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

**WHEREAS**, in December of 2019, a new and substantial outbreak of COVID- 19 emerged in Wuhan, China, and has since spread rapidly to 150 countries and territories throughout the World, including the United States, including Lee County; and

**WHEREAS**, President Trump issued a Proclamation Declaring a National Emergency Concerning the Novel Coronavirus Disease - COVID-19 Outbreak; and

**WHEREAS**, on March 1, 2020, the Governor of Florida issued Executive Order Number 20-51, directing the State Health Officer and Surgeon General to declare a Public Health Emergency due to the discovery of COVID-19 in Florida; and

**WHEREAS**, on March 9, 2020, the Governor of Florida issued Executive Order Number 20-52, declaring a State of Emergency for the state of Florida related to COVID-19, which Executive Order is still in effect; and

**WHEREAS**, the Governor of Florida issued Executive Orders 2021-101 invalidating all remaining local emergency orders based on the COVID-19 State of Emergency and Executive Order 2021-102 suspending all remaining local government mandates and restrictions based on the COVID-19 State of Emergency.

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH THAT:**

Section 1. The above recitals are true and correct and incorporated herein by this reference and adopted as the legislative and administrative findings of the Town Council.

Section 2. In accordance with Governor DeSantis' Executive Order 2021-101 and 2021-102 the Town Council repeals all Emergency Orders and Resolution regarding the State of Emergency declared in Governor DeSantis' Executive Order 2020-52.

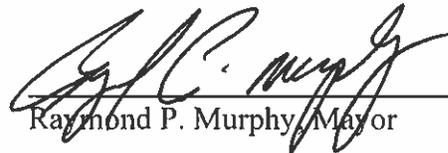
Section 3. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was adopted by the Town Council upon a motion by Vice Mayor Hosafros and seconded by Council Member Veach, and upon being put to a vote, the result was as follows:

Raymond Murphy, Mayor	aye
Rexann Hosafros, Vice Mayor	aye
Bill Veach, Councilmember	aye
Dan Allers, Councilmember	aye
Jim Atterholt, Councilmember	aye

**ADOPTED** this 7<sup>th</sup> day of June 2021 by the Town Council of the Town of Fort Myers Beach, Florida.

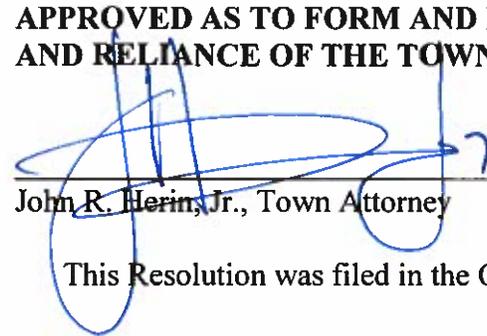
**TOWN OF FORT MYERS BEACH**

  
Raymond P. Murphy, Mayor

**ATTEST:**

  
Amy Baker, Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE  
AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:**

  
John R. Herin, Jr., Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 10 day of June 2021.