

RESOLUTION 2024-21

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA IN LAKE COUNTY, FLORIDA, DECLARING A STATE OF EMERGENCY BECAUSE OF HURRICANE HELENE; AUTHORIZING AND DIRECTING THE MAYOR TO TAKE WHATEVER PRUDENT ACTIONS NECESSARY TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE TOWN PURSUANT TO THIS DECLARATION; PROVIDING FOR AN EFFECTIVE DATE.

Whereas, on September 23, 2024, the Governor of the State of Florida issued Executive Order 24-208 declaring a State of Emergency in forty-one (41) counties in the State of Florida in the potential path of Tropical Cyclone Nine, now known as Hurricane Helene.

Whereas, on September 24, 2024, the Governor issued Executive Order 24-209 extending the State of Emergency to sixty-one (61) counties.

Whereas, the predicted path for Hurricane Helene includes the Town of Astatula.

Whereas, Section 252.38 of the Florida Statutes provides for emergency management powers of political subdivisions of the State of Florida, including counties such as Lake County, and municipalities such as the Town of Astatula.

Whereas, pursuant to Section 252.38(3)(a) of the Florida Statutes, the Legislature has empowered the Town to declare a state of local emergency and to waive the procedures and formalities otherwise required by law pertaining to:

- A. Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- B. Entering into contracts;
- C. Incurring obligations;
- D. Employment of permanent and temporary workers;
- E. Utilization of volunteer workers;
- F. Rental of Equipment;
- G. Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- H. Appropriation and expenditure of public funds.

Whereas, Section 252.38(3)(a) of the Florida Statutes, empowers the Town to declare a state of local emergency for seven days, which may be extended, as necessary in seven-day increments.

Whereas, Hurricane Helene may produce significant damage, flooding and the possibility of other unusual weather conditions associated with this may require expedient action to protect the health, safety and welfare of the residents of the Town.

Now, therefore, be it resolved by the Town Council of the Town of Astatula, Florida:

Section 1. The foregoing findings are true and correct and are hereby adopted and incorporated herein.

Section 2. A state of local emergency is hereby declared for all of the Town of Astatula, effective September 25, 2024.

Section 3. The Mayor is hereby authorized and directed to take whatever prudent actions that may be necessary to protect the health, safety, and welfare of the citizens and residents of the Town while the state of emergency exists, including but not limited to the following:

- A. To order evacuations;
- B. To declare curfews;
- C. To declare certain areas of the Town accessible only under specified conditions;
- D. To prohibit the sale of merchandise, goods, or services at more than the normal average retail price;
- E. To implement emergency procurement procedures;
- F. To suspend or regulate the sale of alcoholic beverages, explosive or combustibles;
- G. To restrict water usage;
- H. To suspend local building regulations;
- I. To ration fuel, ice and other essentials;
- J. To temporarily modify personnel policies; and,
- K. To temporarily suspend or modify utility rates, fees, charges, billing termination, and/or service policies set by ordinance or resolution.

Section 4. The state of emergency hereby shall continue in effect for seven days after the date of declaration by the Town Council. If the state of emergency needs to be extended and a quorum of the Town Council is unable to meet, the Mayor is hereby delegated the authority to extend the state of emergency.

This Resolution shall be effective upon its passage by the Town Council.

RESOLVED this 25th day of September 2024, by the Town Council of the Town of Astatula, Florida.

**TOWN COUNCIL OF THE
TOWN OF ASTATULA, FLORIDA**

By: _____
Mitchell Mack, Mayor

ATTEST:

Jennifer Tucker, Deputy Town Clerk

Approved as to form:



Heather Ramos, Town Attorney

Council Member _____ moved the passage and adoption of the above and foregoing Resolution. Motion was seconded by Council Member _____ and upon roll call on the motion the vote was as follows:

COUNCIL MEMBER	YEA	NAY
Mayor Mack		
Vice-Mayor Cross		
Councilman Teeters		
Councilwoman Quiros		