



EMERGENCY ORDER NO. 2022-19

**ORDER RELATED TO THE TEMPORARY ELIGIBILITY FOR A PRORATED
REFUND OR EXTENSION OF MULTIDAY AND ANNUAL
ADMISSION PASSES FOR WARM MINERAL SPRINGS PARK**

WHEREAS, on September 23, 2022, Florida Governor Ron DeSantis issued Executive Order Number 22-218, declaring a state of emergency in Brevard, Broward, Charlotte, Collier, DeSoto, Glades, Hardee, Hendry, Highlands, Hillsborough, Indian River, Lee, Manatee, Martin, Miami Dade, Monroe, Okeechobee, Osceola, Palm Beach, Pasco, Pinellas, Polk, Sarasota, and St. Lucie Counties; and

WHEREAS, on September 24, 2022, Governor DeSantis issued Executive Order Number 22-219, amending Executive Order Number 22-218 to declare a state of emergency in the entire State of Florida; and

WHEREAS, on November 21, 2022, Governor DeSantis issued Executive Order Number 22-268, renewing for sixty (60) days the state of emergency and all provisions of Executive Order Number 22-218, as amended by Executive Order Number 22-219; and

WHEREAS, Florida Statutes Section 252.38(3)(a) gives authority to public subdivisions to declare and enact a state of local emergency for a period of up to seven (7) days and to take certain measures that are in the interest of the public health, safety, and welfare; and

WHEREAS, on September 25, 2022, the City Commission of the City of North Port, Florida adopted Ordinance No. 2022-30, declaring a state of local emergency due to Hurricane Ian; and

WHEREAS, Ordinance No. 2022-30 conferred on the City Manager or designee the power and authority set forth in Florida Statutes Section 252.38(3)(a); and

WHEREAS, pursuant to Florida Statutes Section 252.46, the City Manager has the power to issue emergency orders with the force of the law; and

WHEREAS, the impact of Hurricane Ian resulted in the indefinite closure of the Warm Mineral Springs Park due to health hazards and significant damage to the buildings and property; and

WHEREAS, Appendix A, Section G of the Code of the City of North Port, Florida, provides the City's Warm Mineral Springs Refund Policy; and

WHEREAS, a change to the Warm Mineral Spring Park refund policy is necessary to address impacts on current multiday and seasonal pass holders; for emergency management purposes; and to ensure the health, safety, and welfare of the community.

THEREFORE, IN HIS EMERGENCY AUTHORITY, THE CITY MANAGER OF THE CITY OF NORTH PORT, FLORIDA ORDERS:

1. Refund Policy. The purchaser of a multiday and annual pass for admission to the Warm Mineral Springs Park, who purchased the pass on or after October 1, 2021, is temporarily eligible to select one of the following:
 - a. A partial refund for the cost of the pass, prorated as of September 27, 2022; or
 - b. An extension of the pass' expiration date, prorated to include all admission eligibility remaining on the pass for all dates falling between September 27, 2022 and the date Warm Mineral Springs Park reopens to the public.
2. This order does not suspend or waive any other regulations related to Appendix A, Section G of the Code of the City of North Port, Florida.
3. To the extent this order conflicts with any provision of the Code of the City of North Port, Florida, this order controls.

This order is effective immediately. Unless otherwise terminated or extended, this order simultaneously expires with the expiration of the state of local emergency.

ORDERED ON AND FILED WITH THE CLERK OF THE CITY OF NORTH PORT, FLORIDA ON DECEMBER 14th, 2022 AT 9:12 A.M./P.M. BY


A. JEROME FLETCHER II, ICMA-CM, MPA
CITY MANAGER