

APPENDIX A**EMERGENCY ORDINANCE DECLARING
A STATE OF LOCAL EMERGENCY**

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, DECLARING A STATE OF LOCAL EMERGENCY, GRANTING TO THE CITY MANAGER OR DESIGNEE THE AUTHORITY TO TAKE ACTIONS IN ACCORDANCE WITH FLORIDA STATUTES SECTION 252.38(3)(a), AND SUSPENDING STANDARD PROCEDURES FOR THE PROCUREMENT OF GOODS AND SERVICES NECESSARY TO ADDRESS THE DECLARED EMERGENCY CAUSED BY THE THREAT POSED BY [ENTER EVENT]; PROVIDING FOR FINDINGS; PROVIDING FOR DURATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, [ENTER EVENT] poses an immediate danger to the public health, safety, or welfare to the City of North Port, Florida and its residents; and

WHEREAS, these circumstances constitute an emergency which warrant the adoption of this ordinance under the procedures provided in the Charter of the City of North Port, Section 7.02 - Emergency Ordinance; and

WHEREAS, the City Commission has, by a vote of at least four members of the Commission, deemed the adoption of this ordinance as necessary for the immediate preservation of the public health, safety, and welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, AS FOLLOWS:

SECTION 1 – FINDINGS:

1.01. The above recitals are hereby ratified and confirmed as being true and correct and are incorporated herein by reference.

SECTION 2 – DECLARATION OF EMERGENCY AND EMERGENCY PROCEDURES:

2.01 The City Commission of the City of North Port, Florida hereby declares a state of local emergency due to [EVENT], an emergency affecting the City.

2.02 The City Commission of the City of North Port, Florida hereby authorizes the City Manager or the City Manager's designee the power and authority set forth in Florida Statutes Section 252.38(3)(a), and to take any and all action of a temporary nature deemed necessary during this state of emergency.

2.03 The City Commission of the City of North Port, Florida hereby determines that this emergency necessitates the waiver of the general procedures and formalities required by law pertaining to the City Manager's procurement of goods and services requiring emergency action, notwithstanding the provisions of Chapter 2, Code of the City of North Port, Florida. Procurements should be made

with the greatest degree of competition that circumstances will permit.

SECTION 3 – DURATION:

3.01 This ordinance shall remain in effect until it expires by operation of law or until the emergency conditions no longer exist as determined by the City Manager

SECTION 4 – CONFLICTS:

4.01 In the event of any conflict between the provisions of this ordinance and any other ordinance or portions thereof, the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 5 – SEVERABILITY:

5.01 If any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 6 – EFFECTIVE DATE:

6.01 This ordinance shall take effect immediately after adoption by the City Commission of the City of North Port, Florida.

Read in its entirety in a public session this _____ day of _____ 20__.

PASSED and ADOPTED by the City Commission of the City of North Port, Florida public session this _____ day of _____ 20__.

CITY OF NORTH PORT, FLORIDA

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

CITY ATTORNEY