



EMERGENCY ORDER NO. 2022-17

**ORDER RELATED TO THE TEMPORARY WAIVER
OF PERMIT REQUIREMENTS FOR THE CITY'S USE OF
MODULAR BUILDINGS, CONSTRUCTION TRAILERS, AND STORAGE CONTAINERS
ON CITY-OWNED PROPERTY**

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, 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 significant damage to certain City-owned buildings, structures, and facilities preventing use by City employees, equipment, and materials; and

WHEREAS, the immediate use of temporary modular buildings, construction trailers, and storage containers on City-owned property is necessary to provide alternative accommodations for City employees, equipment, and materials to ensure essential services to the public continue; and

WHEREAS, Chapter 53 of the Unified Land Development Code provides certain requirements for the use and siting of temporary modular buildings, construction trailers, and storage containers throughout the City; and

WHEREAS, temporarily waiving the permitting, use, and siting requirements for the City's temporary use of modular buildings, construction trailers, and storage containers on City-owned property is necessary 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. The City's temporary use of modular buildings, construction trailers, and storage containers (collectively, "storage containers") on City-owned property is permitted in all zoning districts without obtaining a permit or paying a fee.
2. The use of storage containers pursuant to this order is limited as follows:
 - a. Storage containers shall be used as a place for City employees to work, and the storage of City-owned equipment and materials;
 - b. The Florida Building Code shall control the installation and use of storage containers, as applicable; and
 - c. Storage containers used for human occupancy shall be served by appropriate sanitary sewer facilities.
3. All storage containers in use pursuant to this order must be removed from City-owned property by December 1, 2024.
4. To the extent this order conflicts with any provision of the Unified Land Development Code, this order controls.

This order is effective immediately. Unless otherwise terminated or extended, this order expires the earlier of December 1, 2024 or simultaneously with the expiration of the state of local emergency.

ORDERED ON AND FILED WITH THE CLERK OF THE CITY OF NORTH PORT, FLORIDA ON NOVEMBER 7 2022
AT 4:00 A.M./P.M. BY



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