

**CITY OF PUNTA GORDA DECLARATION
IMPOSING A CURFEW FOR THE PROTECTION
OF ALL PERSONS WITHIN THE CITY OF PUNTA GORDA**

WHEREAS, On September 23, 2022 and September 24, 2022, the Governor of the State of Florida issued Executive Order Nos. 22-218 and 22-219, respectively, declaring a State of Emergency to address matters associated with what became Hurricane Ian; and

WHEREAS, On September 26, 2022, the City Council of the City of Punta Gorda, Florida adopted Emergency Ordinance No. 1996-2022 declaring a state of local emergency and authorizing the City Manager to avail himself of all powers available to City government provided in Chapter 252, Florida Statutes; and

WHEREAS, Hurricane Ian has caused catastrophic damage to the City of Punta Gorda's infrastructure and caused significant debris to impede roadways; and

WHEREAS, pursuant to the City's Home Rule Authority and Chapter 252, Florida Statutes, the City Manager is authorized to establish curfews; and

WHEREAS, the City's Emergency Management Director and Chief of Police, in conjunction with the Charlotte County Sheriff, have recommended the imposition of a curfew within the geographic boundaries of the City of Punta Gorda to ensure the protection of life and property.

NOW THEREFORE, Gregory B. Murray, as the City Manager of the City of Punta Gorda, pursuant to Chapter 252, Florida Statutes and in accordance with the authority granted to him by the Governor's Executive Orders, does hereby deem it necessary to declare certain emergency measures to protect the public health, safety, and welfare of all persons within the City of Punta Gorda during the aftermath of Hurricane Ian to-wit:

Section 1. A curfew is hereby imposed curfew from the hours of 10:00 P.M. to 6:00 A.M. prohibiting pedestrian and vehicular movement and standing. This curfew does not apply to law enforcement personnel; federal, state and local firefighting, emergency medical and emergency management personnel; County employees detailed to work on the emergency, Salvation Army and Red Cross personnel and volunteers; National Guard personnel; electric utility personnel; water and wastewater utility personnel; communications utility personnel; individuals involved in medical emergencies; employees or agency volunteers of non-governmental organizations officially participating in the emergency response effort assigned to work as a direct result of this emergency and others specifically authorized by the City's and County's Emergency Management Director. This curfew does not apply to a person traveling on I-75 through Charlotte County.

Section 2. The Punta Gorda Chief of Police, Sheriff of Charlotte County and other Law Enforcement forces (including under mutual aid request, all law enforcement officers of the State and/or military and National Guard personnel) are hereby authorized and directed to enforce this emergency curfew. Violations shall be enforced pursuant to Sections 252.47 and 252.50, Florida Statutes. Any person violating any of the provisions of this Order is

guilty of a misdemeanor of the second degree, punishable as provided in Sections 775.082 or 775.083, Florida Statutes.

Section 3. This Emergency Order will take effect upon filing with the Punta Gorda City Clerk as soon as practicable and delivered to news media for publication and radio and television for broadcast and otherwise published as practicable.

Section 4. Duration. This Order shall terminate upon the adoption of a Resolution by the City Council of the City of Punta Gorda, Florida imposing a curfew within the City limits.

DONE AND ORDERED in the City of Punta Gorda, Charlotte County, Florida, this 3rd day of October, 2022.



Gregory B. Murray (or his designee)
City Manager

ATTEST:

By: _____
Karen Smith, City Clerk

APPROVED AS TO FORM:

By: _____
David M. Levin, City Attorney