

# RESOLUTION NO. 2022-146

## **A RESOLUTION OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING DECLARATION OF STATE OF LOCAL EMERGENCY 22-03 AND DECLARATIONS EXTENDING STATE OF LOCAL EMERGENCY 22-03.**

**WHEREAS**, for the last several months the Residential Waste (as defined by Ordinance 13-069) for numerous Residential Properties (as defined by Ordinance 13-069) within unincorporated Polk County, generally east of U.S. Highway 17 (depicted and described as Zone 2 in the Residential Solid Waste and Recyclable Materials Collection Franchise Agreement with Advanced Disposal Services Solid Waste Southeast, Inc. (“Residential Waste Service Area 2”)), has been missed by a Collector (as defined by Ordinance 13-069) and remains uncollected for several days to weeks; and

**WHEREAS**, the failure to collect Residential Waste endangers the public health, safety and welfare of the citizens of Polk County; and

**WHEREAS**, the failure to collect Residential Waste is an occurrence which results in substantial injury or harm to the population of Polk County and substantial damage to property; and

**WHEREAS**, on November 22, 2022, the Polk County Board of County Commissioners by unanimous vote declared a State of Local Emergency due to Residential Waste not being collected by a Collector; and

**WHEREAS**, on November 22, 2022, the County Manager in accordance with the unanimous vote of the Board of County Commissioners issued State of Local Emergency 22-03 due to Residential Waste not being collected by a Collector; and

**WHEREAS**, on November 28, 2022 and December 5, 2022, the County Manager issued a Declaration Extending State of Local Emergency 22-03 due to Residential Waste not being collected by a Collector; and

**WHEREAS**, conditions continue to exist requiring the extension of Declaration of State of Local of Emergency 22-03.

**WHEREAS**, Polk County Ordinance 19-074 requires the Declaration of State of Local Emergency and extensions thereof to be placed on the next Board of County Commissioner's agenda to be approved by resolution of the Board at the next Board Meeting; and

**NOW THEREFORE, BE IT RESOLVED BY THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:**

Declarations of State of Local Emergency 22-03 issued by the County Manager on November 22, 2022 and the Declarations Extending State of Local Emergency 22-03 issued on November 28, 2022 and December 5, 2022, attached hereto as Composite Exhibit “A,” is hereby approved.

**PASSED AND DULY ADOPTED BY THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS IN REGULAR SESSION THIS 6<sup>th</sup> DAY OF December, 2022.**

ATTEST: Stacy M. Butterfield, Clerk

By: Stephanie May  
Deputy Clerk

POLK COUNTY, FLORIDA  
Board of County Commissioners

BY: [Signature]  
George Lindsey, III, Chair



**Composite Exhibit "A"**