

**FLAGLER COUNTY, FLORIDA
PROCLAMATION EXTENDING
STATE OF LOCAL EMERGENCY
(Hurricane Matthew)**

WHEREAS, Chapter 12, Flagler County Code, and Section 252.38(3), Florida Statutes, authorize Flagler County to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, on October 3, 2016, the Honorable Rick Scott, Governor of the State of Florida, issued Executive Order Number 16-230 declaring a state of emergency in the State of Florida due to Hurricane Matthew; and

WHEREAS, in anticipation of the impact of Hurricane Matthew on Flagler County, the Chair of the Board of County Commissioners of Flagler County, Florida issued a Proclamation declaring a state of local emergency, dated October 4, 2016; and

WHEREAS, Hurricane Matthew passed along the County's coastline on October 7, 2016, destroying large swaths of the County's coastline, flooding hundreds of homes, and leaving the vast majority of the County's residents without electrical power; and

WHEREAS, it is the recommendation of the County Administrator and the Public Safety Emergency Manager that the state of local emergency declared for Flagler County be extended for an additional seven days.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. I, Barbara S. Revels, as Chair of the Flagler County, Florida, Board of County Commissioners, in accordance with the powers vested in me pursuant to Chapter 252, Florida Statutes, and Section 12-34, Flagler County Code, do hereby proclaim the extension of the declared state of local emergency in Flagler County, Florida, for seven (7) days as identified above. This Proclamation shall commence at 12:00 PM on October 11, 2016 and shall terminate automatically seven (7) days from this date unless terminated earlier or extended by a document of equal dignity herewith.
2. Pursuant to Section 12-34(a)(2), Flagler County Code, this Proclamation authorizes the County Administrator and, in his absence, the Deputy County Administrator and, in both of their absence, the

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

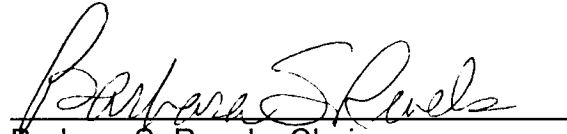
1. I, Barbara S. Revels, as Chair of the Flagler County, Florida, Board of County Commissioners, in accordance with the powers vested in me pursuant to Chapter 252, Florida Statutes, and Section 12-34, Flagler County Code, do hereby proclaim the existence of a state of local emergency in Flagler County, Florida, as identified above. This Proclamation shall commence at 12:00 PM on October 4, 2016 and shall terminate automatically seven (7) days from this date unless terminated earlier or extended by a document of equal dignity herewith.
2. Pursuant to Section 12-34(a)(2), Flagler County Code, this Proclamation authorizes the County Administrator and, in his absence, the Deputy County Administrator and, in both of their absence, the Public Safety Emergency Manager, to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. All rules and orders promulgated hereunder shall be filed with the Clerk of the Court. This declaration further authorizes the County Administrator and, in his absence, the Deputy County Administrator and, in both of their absence, the Public Safety Emergency Manager, to utilize all lawful authority granted to Flagler County by the Flagler County Comprehensive Emergency Management Plan and by Federal, State or County Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a), Florida Statutes, and Section 12-34, Flagler County Code. Any such actions taken shall be reported to or reviewed by the Board of County Commissioners as is practical under the circumstances.
3. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order specifically promulgated under this declaration shall be suspended during the period of time and to the extent that such conflict exists.
4. The County Administrator may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Flagler County Code, to the extent necessary to accommodate the emergency.

5. Pursuant to Section 252.38(3)(a), Florida Statutes, the County hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:
 - Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
 - Entering into contracts;
 - Incurring obligations;
 - Employment of permanent and temporary workers;
 - Utilization of volunteer workers;
 - Rental of equipment;
 - Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
 - Appropriation and expenditure of public funds
6. Any person violating any rule or order issued pursuant to this Proclamation or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefor, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.
7. The continued state of emergency declared by this Proclamation may be modified in whole or in part or may be terminated upon the joint recommendation of the County Administrator and the Public Safety Emergency Manager, by action of the Chairman of the Board of County Commissioners, or, if the Chairman is unavailable, according to the order of succession prescribed by Section 12-34, Flagler County Code, with ratification in any event by the Board of County Commissioners as soon as is practicable at a regular or special meeting. This declaration shall remain in effect for no longer than seven (7) days unless terminated or modified earlier, or extended in accordance with law.
8. If any provision of this Proclamation is invalidated by a court of competent jurisdiction, such invalidity shall not affect the remaining

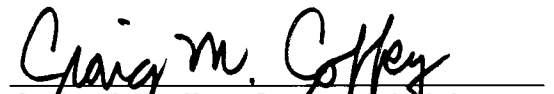
provisions of this Proclamation, which shall have the full force and effect of law.

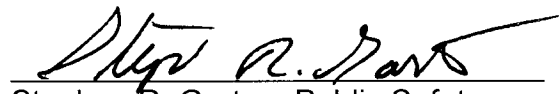
DONE AND ORDERED in Flagler County, Florida, this 4th day of October 2016, at 12:00 P.M.

**FLAGLER COUNTY BOARD OF
COUNTY COMMISSIONERS**


Barbara S. Revels, Chair

CONCURRENCE:


Craig M. Coffey, County Administrator


Stephen R. Garten, Public Safety
Emergency Manager

APPROVED AS TO FORM:


Al Hadeed, County Attorney