

EXECUTIVE ORDER NO. 4

AN EXECUTIVE ORDER OF THE EMERGENCY  
MANAGEMENT DIRECTOR OF THE CITY OF PORT  
ORANGE, VOLUSIA COUNTY, FLORIDA, ADOPTING  
VOLUSIA COUNTY'S CURFEW; AND PROVIDING AN  
EFFECTIVE DATE.

WHEREAS, Governor Ron DeSantis issued Executive Order Number 22-219 on September 24, 2022, declaring that a state of emergency exists in every county in the State of Florida; and

WHEREAS, the City Council of the City of Port Orange has declared a Local State of Emergency beginning September 26, 2022 at 3:30 p.m. pursuant to Resolution 22-31; and

WHEREAS, the Hurricane Ian Storm Event may cause damage to public utilities, public buildings, public streets and roads, public drainage systems, potentially other public infrastructure, commercial and residential buildings and areas as well as causing life threatening conditions for the residents; and

WHEREAS, Volusia County has implemented a curfew by Ordinance No. 2022-27 dated September 27, 2022, attached hereto as Appendix A; and

WHEREAS, it is in the best interest of the public health and safety for residents to remain at home unless necessitated to leave in accordance with the exceptions below.

NOW THEREFORE, be it ordered by the Emergency Management Director of the City of Port Orange, Volusia County, Florida, as follows:

**SECTION 1.** The curfew established by Volusia County (Ordinance No. 2022-27) that takes effect on:

- 1) Wednesday, September 28, 2022 at 8 p.m. and ends on Thursday, September 29, 2022 at 7 a.m., and
- 2) Thursday September 29, 2022 at 8 p.m. and ends on Friday, September 30, 2022 at 7 a.m.

is hereby adopted and will be enforced by the City.

This curfew shall not apply to regular members of law enforcement bodies. Regular employees of local businesses, industries, or governmental entities, while traveling to and from their jobs, and all emergency workers are exempt, provided they have identification if stopped by law enforcement personnel.

**SECTION 2.** Any person who knowingly violates this Executive Order shall, upon conviction, be subject to a fine not exceeding \$500.00, or imprisonment in the County jail for a period of up to sixty (60) days, or by both such fine and imprisonment.

**SECTION 3.** This Executive Order shall become effective immediately.

Done and ordered at 8:30 a.m./p.m. this 28 day of September, 2022.

  
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Wayne Clark  
Emergency Management Director

Appendix "A"

ORDINANCE 2022-27

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2  
3 AN EMERGENCY ORDINANCE RELATING TO  
4 REGULATIONS DURING A STATE OF LOCAL  
5 EMERGENCY; PROVIDING FOR A CURFEW AND  
6 EXEMPTIONS; PROVIDING FOR THE TERRITORY  
7 EMBRACED; PROVIDING FOR PENALTIES FOR  
8 VIOLATIONS; AND PROVIDING AN EFFECTIVE DATE.  
9

10 WHEREAS, the County Council of the County of Volusia, Florida, pursuant to Home  
11 Rule Power and Florida Statutes, Chapter 252, has declared a state of local emergency  
12 pursuant to County ordinance;

13 WHEREAS, Florida Statutes, Chapter 252.38, provides authority for a political  
14 subdivision such as Volusia County to declare a state of local emergency and to waive the  
15 procedures and formalities otherwise required of political subdivisions by law pertaining to  
16 taking whatever action is necessary to ensure the health, safety, and welfare of the  
17 community; and

18 WHEREAS, the County Council finds and declares that in order to protect and  
19 safeguard the health, safety, and welfare of the people of Volusia County, the imposition of an  
20 emergency curfew pursuant to County ordinance is necessary;

21 NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF VOLUSIA  
22 COUNTY, FLORIDA, AS FOLLOWS:

23  
24 SECTION I: A curfew within the incorporated and unincorporated areas of Volusia  
25 County shall take effect on: 1) Wednesday, September 28, 2022 at 8 p.m. and end on  
26 Thursday, September 29, 2022 at 7 a.m.; and 2) Thursday, September 29, 2022 at 8 p.m. and  
27 end on Friday, September 30, 2022 at 7 a.m. This curfew shall not apply to regular members  
28 of the law enforcement bodies. Regular employees of local businesses, industries, or

1 governmental entities, while traveling to and from their jobs, and all emergency workers are  
2 exempt, provided they have identification if stopped by any law enforcement personnel.

3 **SECTION II:** All territory within the legal boundaries of Volusia County, Florida,  
4 including all unincorporated and incorporated areas, shall be embraced by the provisions of  
5 this Ordinance.

6 **SECTION III:** Any person who knowingly violates this Ordinance shall, upon  
7 conviction, be subject to a fine not exceeding \$500.00, or imprisonment in the County jail for a  
8 period of up to sixty (60) days, or by both such fine and imprisonment.

9 **SECTION IV:** This Emergency Ordinance shall take effect immediately unless  
10 rescinded prior to that time.

11 ADOPTED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, IN OPEN  
12 MEETING DULY ASSEMBLED IN THE COUNTY COUNCIL CHAMBERS AT THE THOMAS  
13 C. KELLY ADMINISTRATION CENTER, 123 WEST INDIANA AVENUE, DELAND, FLORIDA,  
14 THIS 27th DAY OF SEPTEMBER A.D., 2022.


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17 ATTEST:  
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George Recktenwald  
County Manager

COUNTY COUNCIL  
VOLUSIA COUNTY, FLORIDA



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Jeffrey S. Blower  
County Chair