

RESOLUTION NO. 22-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, DECLARING A STATE OF LOCAL EMERGENCY; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXERCISE EMERGENCY MANAGEMENT POWERS; RATIFYING ALL ACTIONS TAKEN IN PREPARATION FOR SUBTROPICAL STORM NICOLE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the anticipated Subtropical Storm Nicole 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, Section 252.38, Florida Statutes, and Sections 26.6.1, et seq. of the City of Port Orange Code of Ordinances provides authority for a political subdivision such as the City of Port Orange to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions in order to take whatever action is necessary to ensure the health, safety and welfare of the community; and

WHEREAS, on November 7, 2022, Governor Ron DeSantis issued Executive Order Number 22-253; declaring that a state of emergency exists in Volusia County.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF


THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The anticipated Subtropical Storm Nicole Storm Event poses a serious threat to the lives and property of the residents of the City of Port Orange. The City Council hereby declares a State of Local Emergency. The City Manager or his designee shall act as the NIMS Incident Commander and the Emergency Management Director for the purposes of the Subtropical Storm Nicole Storm Event. The State of Local Emergency shall be limited to seven (7) days from the effective date of this Resolution No. 22-42, but may be extended by subsequent executive order issued by the City Manager or by resolution adopted by City Council in accordance with Section 252.38, Florida Statutes and Chapter 26 of the Code of Ordinances.

Section 2. The Mayor and City Council hereby exercise their emergency authority and waive the procedures and formalities required by law of a political subdivision, as provided in Section 252.38, Florida Statutes, and Chapter 26 of the City of Port Orange Code of Ordinances. The Emergency Management Director (City Manager or his designee) or the successor as provided in Section 26.6.4 of the Code of Ordinances is hereby authorized and empowered to exercise all powers and duties and take all actions deemed appropriate as authorized in Section 252.38, Fla. Stat., and Sections 26.6.1, et seq. of the City of Port Orange Code of Ordinances.

Section 3. The City Council hereby ratifies all actions taken by the City Manager or at the City Manager's direction in preparation for the Subtropical Storm Nicole Storm Event local emergency.

Section 4. This resolution shall become effective immediately upon adoption.



MAYOR DONALD O. BURNETTE

ATTEST:



Robin L. Fenwick, MMC, City Clerk

Adopted on the 8 day of November, 2022.

Reviewed and Approved: 

Matthew J. Jones, City Attorney