

EXECUTIVE ORDER NO. 1 (NICOLE)

AN EXECUTIVE ORDER OF THE EMERGENCY MANAGEMENT DIRECTOR OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, TEMPORARILY SUSPENDING ENFORCEMENT OF SECTION 26-71 OF THE CODE OF ORDINANCES, RELATED TO DISASTER-GENERATED DEBRIS CAUSED BY HURRICANE IAN AND CURRENTLY LOCATED IN RIGHTS-OF-WAY AND PARKAGES PRIOR TO LANDFALL OF THE NICOLE STORM EVENT; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Council of the City of Port Orange has declared a Local State of Emergency beginning November 8, 2022 at 4:30 p.m. pursuant to Resolution 22-42; and

WHEREAS, the Hurricane Ian Storm Event caused significant and widespread disaster-generated debris; and

WHEREAS, due to the Hurricane Ian's significant and widespread impact to the City of Port Orange, the disaster-generated debris collection and disposal has not yet been completed; and

WHEREAS, there is an approaching storm event, Subtropical Storm Nicole, which is likely to cause tropical storm force winds and isolated flooding in Port Orange; and

WHEREAS, some residents still have large quantities of disaster-generated debris from Hurricane Ian located in rights-of-way and parkages which may be impracticable or impossible to remove or otherwise secure prior to Subtropical Storm Nicole impacting the City; and

WHEREAS, Section 26-71, Code of Ordinances, City of Port Orange, prohibits garbage, trash, and debris, placed in rights-of way and parkages during a declared emergency when regular solid waste pick-up has been suspended; and

WHEREAS, due to the ongoing local state of emergency, leniency should be exercised where a natural disaster has made it impracticable or impossible for some residents to comply with Section 26-71, Code of Ordinances.

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

SECTION 1. The City hereby temporarily suspends enforcement of Section 26-71, Code of Ordinances, City of Port Orange, during the Nicole Storm Event. This suspension of enforcement shall apply only to disaster-generated debris caused by Hurricane Ian that is currently located in rights-of-way and parkages awaiting collection and disposal. No other garbage, trash, debris, or refuse shall be placed in rights-of-way and parkages after solid waste pick-up has been suspended during the Nicole Storm Event. To the extent possible, all residents are encouraged to secure smaller debris which is capable of becoming airborne in the event of a significant wind event or becoming an obstruction to stormwater sewers or drains during a significant flood event.

SECTION 2. This Executive Order shall become effective immediately and shall expire on Monday, November 14, 2022.

Done and ordered at 5:32 a.m./p.m. this 8th day of November, 2022.



Wayne Clark
Emergency Management Director