

**BAY COUNTY, FLORIDA
DECLARATION OF LOCAL STATE OF EMERGENCY
HURRICANE IDALIA**

WHEREAS, Bay County is a political subdivision of the State of Florida, and pursuant to Chapter 252 Florida Statutes, "State Emergency Management Act" and the "Emergency Services Ordinance of Bay County, Florida" codified at Section 15-101 et al., Bay County Code ("Act"), is authorized to find and declare a local state of emergency in Bay County and exercise those powers conferred by Florida Statutes, Chapter 252 and the Act; and

WHEREAS, on August 26, 2023, Governor Ron DeSantis issued Executive Order 23-171 and amended by 23-172, declaring that a state of emergency exists throughout the State of Florida as a result of the threat posed by Hurricane Idalia; and

WHEREAS, the current forecast error of the National Hurricane Center does not allow for a precise track of Hurricane Idalia to determine the threat level from wind damage or rain or the related protective measures required; and

WHEREAS, Hurricane Idalia has the potential for causing substantial damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings and areas; and

WHEREAS, the Board of County Commissioners of Bay County, finds that a state of local emergency exists due to the effects of Hurricane Idalia, and recognizes that the potential exists that Hurricane Idalia could pose an immediate threat to citizens and property in Bay County; and

WHEREAS, this emergency requires the assistance of municipal, state, and federal aid, without delay to repair and effect an immediate recovery of said emergency impact on the citizens of Bay County.

NOW THEREFORE, I, TOMMY HAMM, CHAIRMAN OF THE BAY COUNTY BOARD OF COUNTY COMMISSIONERS, in accordance with the provisions of the State of Florida Office of the Governor Executive Order Number 23-171, and amended by 23-172, Chapter 252, Florida Statutes and Chapter 15, Article VI of the Bay County Code, promulgates the following Declaration.

SECTION 1. A state of local emergency exists within Bay County due to the effects of HURRICANE IDALIA.

SECTION 2. The Bay County Comprehensive Emergency Management Plan promulgated by the Bay County Emergency Services Ordinance is hereby activated and the

Chairman of the Board of County Commissioners or his designees shall have the power, authority and duty to take any and all action under the plan necessary for the preservation of the health, welfare and safety of the people of Bay County, specifically need not comply with adopted procurement and purchasing polices during this emergency.

SECTION 3. That, in accordance with Section 252.38(2), Florida Statutes, actions of the several municipalities within Bay County must be coordinated with County Emergency Management and not conflict with any order of the County; and

SECTION 4. That residents of Bay County are urged to pay close attention to the news media for information for news regarding public safety and orders of evacuation should evacuation become necessary

SECTION 5. The Chairman of the County Commission, or his designee, is empowered to order mandatory evacuations as evolving conditions may require pursuant to the Board adopted Comprehensive Emergency Management Plan (CEMP). Any such evacuation shall remain in force until ended by further order. Any unauthorized person located in, or attempting to enter, an evacuation area after the stated completion time for an evacuation order issued as contemplated herein shall be in violation of F.S. §252.50, and subject to the penalties therein; and

SECTION 6. The Chairman of the County Commission, or his designee, will monitor disaster-related debris and, that even though debris removal from private rights-of-way remains the responsibility of the property owner, in the event of widespread debris, the County Administrator or designee is empowered to take necessary action to remove disaster-debris which: (a) presents an immediate threat to public health, safety, or life; or (b) poses an immediate threat of significant damage to improved public or private property; or (c) the removal of which is necessary to ensure economic recovery of the affected community to the benefit of the community at large, including but not limited to the restoration of bus and school bus services, scheduled trash collection, and postal and other delivery services; and

SECTION 7. The Chairman of the County Commission, or his designee, shall have the authority to issue such other orders as may be necessary to respond and recover from this emergency, including without limitation the authority to impose curfews, take steps to reduce fire risks, ban the sale of alcoholic beverages, or temporarily waive county ordinances.

SECTION 8. The Chairman of the County Commission hereby delegates authority to the County Manager for the duration of this emergency declaration the authority to appropriate funds from reserves as necessary to support emergency operations and response in a timely manner, and further, to suspend budgetary controls to the extent necessary to accomplish this purpose. The

aforementioned authority is subject to after-the-fact ratification of the Board.

SECTION 9. The Bay County Chief of Emergency Services shall provide overall coordination for county response and county agencies shall coordinate through the Chief of Emergency Services regarding any assistance to be provided.

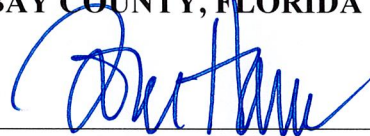
SECTION 10. All county agencies will provide necessary assistance as requested by the Bay County Chief of Emergency Services

SECTION 11. The provision of this Declaration shall remain in effect for a period of seven (7) days, unless otherwise extended by the Bay County Board of County Commissioners of Bay County, Florida.

SECTION 12. This Declaration does not activate the “Pay For Work During Declared Emergencies or Disasters” portion of the County’s personnel policy, unless specifically activated by subsequent emergency order.

DONE and ORDERED THIS 29 day of August, 2023.

**BOARD OF COUNTY COMMISSIONERS
BAY COUNTY, FLORIDA**



Tommy Hamm, Chairman