

**BAY COUNTY, FLORIDA  
DECLARATION OF LOCAL STATE OF EMERGENCY  
NORTH FLORIDA TORNADOES**

**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 January 9, 2024, Governor Ron DeSantis issued Executive Order 24-03, declaring that a state of emergency exists in parts of the State of Florida as a result of the threat posed by the North Florida Tornadoes; and

**WHEREAS**, the North Florida Tornadoes has caused 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 the North Florida Tornadoes, and recognizes that the North Florida Tornadoes has posed 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, and

**WHEREAS**, Bay County Emergency Management and the Bay County Sheriff have recommended the imposition of a curfew for the east end of Thomas Drive, from the Grand Lagoon Bridge south, and from Hurt Street east to the St. Andrews State Park, from 9:00 pm until 6:00 am, which is necessary to ensure the health, safety, and welfare of all individuals within Bay County, and will remain in effect until January 12, 2024.

**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 24-03, 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 the North Florida Tornadoes.

**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 policies 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.

**SECTION 4.** A curfew shall be in place between the hours of 9:00 p.m. and 6:00 a.m., beginning January 9, 2024, from the Grand Lagoon Bridge south, and from Hurt Street east to the St. Andrews State Park, and continuing thereafter until January 12, 2024, to include both the unincorporated and incorporated areas of Bay County, Florida. The following shall be exempt from this Order:

- a. Essential services such as fire, police, emergency medical services, hospital services, including services for the transportation of patients, utility emergency repairs, and emergency calls by physicians and other appropriate relief activities;
- b. County and municipal emergency management personnel;
- c. On-duty military personnel;
- d. Media personnel;
- e. Insurance adjusters;
- f. Contractors and other personnel supporting government relief efforts.

**SECTION 5.** 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.

**SECTION 6.** 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 7.** 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 8.** 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 9.** All county agencies will provide necessary assistance as requested by the Bay County Chief of Emergency Services.

**SECTION 10.** 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 11.** 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.

**SECTION 12.** Any violation of this Order is a second-degree misdemeanor punishable by a fine of up to \$500.00 for each offense and by a term of punishment pursuant to Fla. Stat. 252.50.

**DONE and ORDERED THIS** 9th day of January, 2024.

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

  
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Tommy Hamm, Chairman