

EMERGENCY EXECUTIVE PROCLAMATION 2022-001

September 27, 2022

TO: All Elected Officials, Department Heads, Division Chiefs, Boards and Independent Agencies – Consolidated City of Jacksonville

FROM: Lenny Curry, Mayor

SUBJECT: Proclamation and Declaration of Emergency in Accordance with Chapter 674, *Jacksonville Ordinance Code* due to Emergency Conditions

By virtue of the authority vested in me as Mayor by the Charter and as Chief Executive and Administrative Officer of the Consolidated Government, I hereby proclaim and declare a state of emergency exists associated with Hurricane Ian.

WHEREAS, on September 24, 2022, Governor Ron DeSantis issued Executive Order Number 22-219, declaring a State of Florida state of emergency associated with Hurricane Ian and invoking the State of Florida emergency response, recovery and mitigation plans and procedures; and

WHEREAS, Governor DeSantis' Executive Order 22-219 is hereby incorporated and adopted into this Emergency Executive Proclamation to the extent Duval County is obligated to respond thereto; and

WHEREAS, it is necessary to invoke the emergency response authorities in Chapter 674, *Ordinance Code* in order to enable the Consolidated City of Jacksonville to respond to its obligations under Governor DeSantis' Executive Order 22-219 and to appropriately respond to the needs of Duval County and its citizens.

NOW THEREFORE, it is declared and ordered as follows, to take immediate effect:

- (1) I am responsible for meeting the dangers presented to the City, its people and property by a disaster. I am hereby issuing this Emergency Executive Proclamation 2022-001, and I may amend or rescind such in the fulfillment of this responsibility. Any actions taken in response to this Proclamation shall have the force and effect of law during the period for which it is effective. During the continuance of a state of disaster emergency, I am commander-in-chief of the emergency preparedness forces available for emergency duty. To the greatest extent possible, in accordance with Chapter 674, *Ordinance Code*, I have and will delegate or assign command authority by prior arrangement embodied in the emergency preparedness plan or in appropriate executive orders or regulations, but this shall not restrict my authority to do so by orders issued at the time of and during this disaster emergency.

- (2) A disaster emergency is hereby declared by proclamation of the Mayor as I find that a disaster is threatened, has occurred or continues to occur caused by Hurricane Ian with a threat of high winds, flooding, and power loss, threatening property damage and personal injury. This emergency is applicable to the consolidated City of Jacksonville. The state of disaster emergency shall continue until I find that the threat or danger has been dealt with to the extent that the emergency conditions no longer exist, and I terminate the state of disaster emergency by proclamation.
- (3) I am convening the Council in a special meeting at which I am reporting to the Council all the facts and circumstances concerning the disaster and recommendations in connection therewith. The Council by resolution may terminate a state of disaster emergency at any time, whereupon I shall issue a proclamation ending the state of disaster emergency.
- (4) I shall cause this emergency proclamation to be promptly disseminated by means calculated to bring it to the attention of the general public and, unless the circumstances prevent or impede it, shall cause it to be promptly filed with the Council Secretary.
- (5) Note that under Sec. 674.207, *Ordinance Code*, in addition to all other powers conferred upon me as Mayor by law, during a state of disaster emergency I may:
 - (a) Suspend the provisions of any ordinance prescribing procedures for the conduct of City business or the rules, regulations, or orders of any City agency if strict compliance with the ordinance, rule, regulation, or order would in any way prevent, hinder, or delay necessary action in coping with the disaster;
 - (b) Utilize all available resources of the City government as reasonably necessary to cope with the disaster;
 - (c) Transfer the direction, personnel, or functions of City agencies or units thereof for the purpose of performing or facilitating emergency services;
 - (d) Request the assistance and cooperation of the independent agencies or such of them as are reasonably necessary to implement the emergency preparedness plan, and, in the event that an independent agency fails or refuses to provide the requested assistance and cooperation or that there is no one available to order such assistance and cooperation, commandeer or utilize the independent agency's personnel and equipment as is reasonably necessary to cope with the disaster;
 - (e) Subject to the provisions of Chapter 674, *Ordinance Code*, commandeer or utilize any private property if I find it necessary to cope with the disaster, and direct and compel by any necessary and reasonable force the evacuation of all or part of the population from a stricken or threatened area within the City if

I deem this action necessary for the preservation of life or other disaster mitigation, response, or recovery;

(f) Prescribe routes, modes of transportation, and destinations in connection with an evacuation;

(g) Control ingress to and egress from a disaster area, the movement of persons within the area, and the occupancy of premises therein;

(h) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, explosives, and combustibles;

(i) Make provision for the availability and use of temporary emergency housing;

(j) Take or direct measures for limiting or suspending lighting devices and appliances, gas and water mains, electric power distribution, and other utility services in the general public interest;

(k) Take or direct measures concerning the conduct of civilians, the movement and cessation of movement of pedestrian and vehicular traffic prior to, during, and subsequent to drills and actual or threatened disasters, the calling of public meetings and gatherings, and the evacuation and reception of the civilian population, as provided in the emergency preparedness plan;

(l) Authorize the use of forces already activated or mobilized to assist private citizens of the City in cleanup and recovery operations during a disaster when permission to enter onto or into private property has been obtained from the property owner;

(m) Enforce and utilize the provisions of mutual aid plans and interjurisdictional agreements and, in connection therewith;

(1) Organize and dispatch emergency preparedness support forces, including personnel, supplies, and equipment as necessary to other counties, transfer operational command of these forces to the other jurisdiction, and resume operational command of these forces when they are no longer needed outside the City;

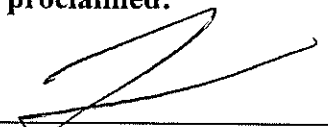
(2) Request and assume operational command of emergency preparedness support forces, including personnel, supplies, and equipment, as necessary, dispatched from other jurisdictions into the City and transfer operational command of these forces to the original jurisdiction when they are no longer needed in the City;

(3) Loan, lease, or transfer on such terms and conditions as I deem necessary to promote the public welfare and protect the interests of the City any property of the City government required or useful to effectuate the mutual aid plan or interjurisdictional agreement, and receive and utilize any property of another jurisdiction by loan, lease, or transfer on such terms and conditions as I deem advisable pursuant to a mutual aid plan or interjurisdictional agreement; and

(n) Waive procedures and formalities otherwise required by the Charter or by law pertaining to:

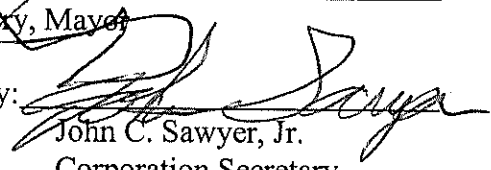
- i. The performance of public work.
- ii. The entering into of contracts.
- iii. The incurring of obligations.
- iv. The employment of permanent and temporary workers.
- v. The utilization of volunteer workers.
- vi. The rental of equipment.
- vii. The purchase and distribution, with or without compensation, of supplies, materials and facilities.
- viii. The appropriation and expenditure of public funds.

Be it so proclaimed:



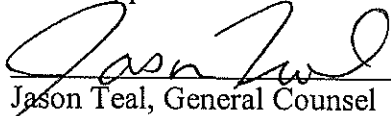
Lenny Cury, Mayor

Attested by:


John C. Sawyer, Jr.
Corporation Secretary

Effective as of the 28th day of September, 2022 at 12:00 pm

Form Approved:



Jason Teal, General Counsel