

ST. JOHNS COUNTY EMERGENCY ORDER 2022- 10

**A STATE OF EMERGENCY ORDER AS PROVIDED BY PART I,
CHAPTER 252, FLORIDA STATUTES AND BY ST. JOHNS
COUNTY, FLORIDA ORDINANCE NO. 2021-4**

WHEREAS, a state of local emergency is necessary, pursuant to Chapter 252, Florida Statutes and St. Johns County Ordinance No. 2021-4, because of the severe threat and the potential of Subtropical Storm Nicole (also known as Tropical Storm Nicole) to create excessive rainfall, high tides, and tropical storm or hurricane force winds, which may pose a serious threat to public health and safety and cause flooding, beach erosion, and property damage; and

WHEREAS, the Governor of the state of Florida has issued Executive Order No. 22-253 declaring a State of Emergency in certain Florida Counties, including St. Johns County, pertaining to Subtropical Storm Nicole; and

WHEREAS, persons in St. Johns County need to prepare for tropical storm or hurricane conditions; and

WHEREAS, St. Johns County is exerting efforts to address emergency conditions and assist affected citizens; and

WHEREAS, the emergency may become beyond the capability of St. Johns County to effectively respond under normal procedures; and

WHEREAS, certain additional specialized equipment and personnel may be required to assist in evacuation and take protective action with regard to life and property; and

WHEREAS, St. Johns County may request assistance from the State and/or may implement its interlocal agreements with other local governments pertaining to emergencies; and

WHEREAS, when a quorum of the Board is unable to meet, this proclamation may be issued by the Chair of the Board. In the absence of the Chair, this proclamation may be issued by the Vice Chair. In the absence of both the Chair and the Vice Chair, this proclamation may be issued by the County Administrator, or, in the absence of the County Administrator, the Director of Emergency Management.

NOW THEREFORE, in accordance with the emergency power vested in the County pursuant to Chapter 252, Florida Statutes, and Section 5 of St. Johns County Ordinance No. 2021-4, it is hereby ordered that:

(1) a state of local emergency exists and has occurred within and is affecting St. Johns County due to the effects of actual and/or anticipated heavy winds and rainfall and actual or anticipated damage associated with Subtropical Storm Nicole;

(2) the occurrence or threat of disaster associated with such emergency is imminent and requires immediate and expeditious action;

(3) a quorum of the Board of County Commissioners of St. Johns County or its officers are unable to timely meet to address the emergency;

(4) the County Administrator, the Director of Emergency Management, and their designees are hereby authorized to take the appropriate emergency measures authorized by Chapter 252, Florida Statutes and St. Johns County Ordinance No. 2021-4;

(5) the St. Johns County Comprehensive Emergency Management Plan (the Plan) is hereby activated, and the St. Johns County Administrator and the Director of Emergency Management 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 St. Johns County;

(6) the County Administrator is hereby authorized to transfer funds from the Solid Waste Reserve to the Solid Waste budget for use in debris removal and debris management activities related to disaster recovery;

(7) any person not abiding by this order is guilty of a misdemeanor of the second degree, punishable as provided in Florida Statute 775.082 or Florida Statute 775.083;

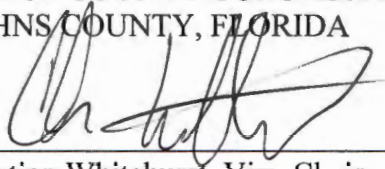
(8) notwithstanding the forgoing, nothing in this order waives the sovereign immunity of St. Johns County; and

(9) pursuant to consultation with the County Administrator and the Director of Emergency Management, and as Vice Chair of the Board of County Commissioners of St. Johns County, I hereby declare and enact a State of Local Emergency for all of St. Johns County, including municipalities, for a period of seven (7) days, **which shall begin at 3:30 a.m. (p.m.) on November 8, 2022.** Pursuant to this order, all procedures and formalities otherwise required of St. Johns County are hereby waived. The County Administrator and the Director of Emergency Management are hereby ordered to take whatever actions are necessary to protect the health, safety, and welfare of this community. Emergency Directives, signed by the Chair, Vice Chair, County Administrator, or Director of Emergency Management during the State of Emergency, shall have the full force of law, as specified in St. Johns County Ordinance No. 2021-4.

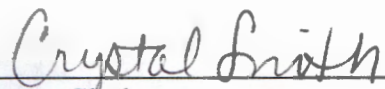
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DONE and ORDERED this 8 day of November, 2022 at 3:30 a.m./(p.m.)

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

By: 
Christian Whitehurst, Vice Chair

ATTEST: Brandon J. Patty, Clerk

By: 
Deputy Clerk

