

## **ST. JOHNS COUNTY EMERGENCY ORDER 2024-2**

### **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, which is a result of the failure of FCC Environmental to collect all of the household trash, recycling and yard waste, resulting in a severe threat and which may pose a serious threat to public health and safety; 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 the collection of trash and waste 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 failure of FCC Environmental to collect all of the household trash, recycling and yard waste;

(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 met during a regularly scheduled meeting on August 20, 2024, 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 all trash and debris removal and activities related to disaster recovery, and take the following actions, including, but not limited to:

- (a) Utilize all available resources of the county government as reasonably necessary to cope with the emergency;
- (b) Make provisions for the availability and use of temporary emergency housing and the emergency warehousing of materials;
- (c) Acquire merchandise, equipment, vehicles, or property needed to alleviate the emergency;

(7) the County Administrator is hereby authorized to make any emergency small purchases necessary to safeguard the health, welfare and safety of the people or property of St. Johns County without obtaining the three quotes normally required. Small purchases are identified as purchases of \$10,000 to \$250,000. Moreover, the County also waives the procedures and formalities normally required by law to:

- (a) Performance of public work and taking whatever prudent action is necessary to ensure the health, safety and welfare of the community;
- (b) Entering into contracts;
- (c) Incurring obligations;
- (d) Employment of temporary or permanent workers;
- (e) Rental equipment;
- (f) Acquisition and distribution, with or without compensation, of supplies, materials and facilities;
- (g) Appropriation and expenditure of public funds.

(8) the County Administrator is hereby authorized to undertake any other appropriate emergency procurement and purchasing actions necessary for the preservation of the health, welfare, and safety of the people of St. Johns County;

(9) 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;

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

(11) pursuant to consultation with the County Administrator and the Director of Emergency Management, and as 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 12:00p.m. on August 20, 2024.** 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.

DONE and ORDERED this 20<sup>th</sup> day of August, 2024.

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA

Rendition Date AUG 20 2024

By: \_\_\_\_\_  
Sarah S. Arnold, Chair

ATTEST: Brandon J. Patty, Clerk

By: Robin S. Platt  
Deputy Clerk

