

RESOLUTION 2024-09R

DECLARATION OF EMERGENCY 2024-01

A PROCLAMATION OF THE TOWN OF HAVANA, FLORIDA, DECLARING A STATE OF LOCAL EMERGENCY; PROVIDING AN EFFECTIVE DATE; AUTHORIZING EXTENSIONS; AND PROVIDING FOR SCRIVENER'S ERRORS.

WHEREAS, the Office of the Governor of the State of Florida issued Executive Order Numbers 24-208 and 24-209 which included Gadsden County in a declared state of emergency for 41 Florida counties for potential damage due to Potential Tropical Cyclone Nine (the "Governor's Executive Orders");

WHEREAS, the above referenced storm constitutes a significant threat to the residents of the Town of Havana, Florida (the "Town");

WHEREAS, forecasting specific to Gadsden County currently indicates a strong likelihood of significant impact on the Town;

WHEREAS, the Town requires significant lead time in order to prepare and/or evacuate residents from the hazards of a tropical event;

WHEREAS, Potential Tropical Cyclone Nine has the potential for causing extensive damage in the Town to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings and areas;

WHEREAS, on the same date as this declaration the Gadsden County Board of County Commissioners is also expected to declare a state of local emergency for Gadsden County, Florida due to Potential Tropical Cyclone Nine, as provided by chapter 252, Florida Statutes (2024); and

WHEREAS, chapter 252 provides authority for a municipality such as the Town to declare a State of Local Emergency and to waive certain procedures and formalities otherwise required of political subdivisions by law including, but not limited to:

- (1) performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community,
- (2) entering into contracts,

- (3) incurring obligations,
- (4) employment of permanent and temporary workers,
- (5) utilization of volunteer workers,
- (6) rental of equipment,
- (7) acquisition and distribution, with or without compensation, of supplies, materials and facilities, and
- (8) appropriation and expenditure of public funds.

NOW, THEREFORE, BE IT PROCLAIMED AND DECLARED BY THE TOWN COUNCIL OF THE TOWN OF HAVANA, FLORIDA, AS FOLLOWS:

Section 1. **Emergency Declaration.** Capitalized terms used in this declaration have the meanings ascribed to them and are to be interpreted as set forth in the Governor's Executive Orders. Potential Tropical Cyclone Nine poses a serious threat to the lives and property of residents of the Town of Havana, Florida, and, therefore, is hereby declared a STATE OF LOCAL EMERGENCY to be effective at 08:00 PM on SEPTEMBER 24, 2024, in and upon all areas within the legal boundaries of the Town, and may be extended in seven day increments by the Mayor or Town Council until terminated. Such State of Local Emergency may be terminated by the Mayor, in writing, or by Resolution of Town Council.

Section 2. **Necessity.** This Declaration is an emergency measure necessary for the protection of the public health, welfare and safety, due to the proximity of Potential Tropical Cyclone Nine.

Section 3. **Authorization.** The Town Manager, or her designated agent(s), is authorized to take all action necessary and appropriate to secure resources to protect human life and property and to utilize all lawful authority granted to the Town under state, county, and municipal laws, statutes, rules, regulations, resolutions, ordinances, and other authorizations as necessary to accomplish same.

Section 4. **Town Resources.** All Town assets are hereby ordered to be placed at the disposal of the Town of Havana for response to Potential Tropical Cyclone Nine and recovery from the same.

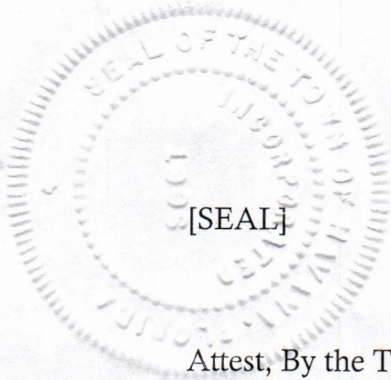
Section 5. **Town Requirements Suspended.** Any Town requirements prescribing procedures for the conduct of Town business, if strict compliance would

hinder necessary action in coping with the emergency, are hereby suspended. Suspension shall be at the direction and discretion of the Town Manager during the pendency of the State of Local Emergency.

Section 6. **Corrections.** The Town Manager or her designee, without public hearing, is authorized to correct any typographical scrivener's errors, which do not affect the intent of this resolution. A corrected copy shall be posted in the public record by the Town Clerk.

ADOPTED AND PROCLAIMED by an affirmative vote of a majority of a quorum present of the Town Council of the Town of Havana, Florida, at its meeting on this 24th day of September 2024.

TOWN OF HAVANA, FLORIDA:



[SEAL]

Tim Loughmiller, Mayor

Attest, By the Town Clerk of
the Town of Havana, Florida:

Town Clerk

Approved as to Form:

Town Attorney