

RESOLUTION NO. 24 - _____

ORDER EXTENDING THE STATE OF LOCAL EMERGENCY FOR HURRICANE HELENE AND ADDING TROPICAL STORM MILTON TO THE STATE OF LOCAL EMERGENCY

WHEREAS, Hurricane Helene caused substantial damage to public buildings, public streets and roads, public drainage systems, commercial and residential buildings, and constitutes an ongoing Emergency; and

WHEREAS, the Governor of the State of Florida, in Executive Order 24-208 and Executive Order 24-209, found that a state of emergency exists within specified Counties within the State of Florida, including Pinellas County, and in coordination with ongoing emergency actions by the state and federal governments, the Pinellas County Board of County Commissioners (Board) passed Resolution 24-68 declaring a state of local emergency in Pinellas County; and

WHEREAS, in accordance with Florida Statute 252.38(3)(a)(5) such declarations are limited to a duration of 7 days, after which they may be extended for additional periods of 7 days, as necessary; and

WHEREAS, a new weather system presently identified as Tropical Storm Milton by the National Hurricane Center (“Milton”), poses a serious threat to the residents of Pinellas County; and

WHEREAS, the current forecast error of the National Hurricane Center does not allow for a precise track of Milton to determine the threat level from wind and surge damage or rain or the related protective measures required; and

WHEREAS, Milton has the potential for causing 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, in order to fully and effectively continue the various response and recovery efforts needed due to the scope and scale of destruction in Pinellas County, and any additional damage caused by Milton, and to ensure the health, safety, and welfare of the community, continuing the state of local emergency is necessary; and

WHEREAS, Section 252.38(3)(a)5, Florida Statutes, provides authority for a political subdivision such as Pinellas County to exercise emergency powers; and

WHEREAS, Pursuant to §252.38(1), Florida Statutes, and Pinellas County Charter section 2.04 (k), the County has jurisdictional authority over the entire county for emergency management purposes.

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the Board of County Commissioners of Pinellas County, Florida, this ___ day of October 2024:

- 1) That based on the facts and circumstances as outlined above there exists a legal and factual basis for the County to remain under a State of Local Emergency until _____ A.M./P.M. October ____, 2024, and the State of Local Emergency is hereby extended until such time.
- 2) Subsequent extensions made to Resolution 24-68 (declared for Hurricane Helene and Tropical Storm Milton), may be made as necessary, and executed by either the Board or the County Administrator.
- 3) The County Administrator is expressly delegated the authority to extend the declaration of state of local emergency as many times as necessary. This delegation of authority does not require further action by the Board, and is granted whether or not a quorum of the board is able to meet; any procedures set out in the Pinellas County Code that may be interpreted to be in conflict with this grant of authority are hereby waived.

Effective Date; Duration.

This Order is effective immediately upon filing with the Clerk of the Circuit Court.

This Order applies to incorporated and unincorporated areas within Pinellas County, but has no application outside of Pinellas County.

This order and prior resolutions and emergency orders remain in full force and effect unless modified or superseded.

Signature Page Follows

Commissioner _____ offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner _____, and upon roll call the vote was:

AYES:

NAYS:

ABSENT AND NOT VOTING:

[time]

Or

Ordered this ____ day of _____ 2024, at _____ a.m./p.m.

County Administrator

PCAO 493061

APPROVED AS TO FORM
By: Jewel White
Office of the County Attorney