

# *Declaration*

## **DECLARATION OF LOCAL STATE OF EMERGENCY**

**WHEREAS**, as a result of Tropical Storm Eta, based on current projections, Broward County, Florida, will encounter extremely strong wind, heavy rain, and other dangerous conditions;

**WHEREAS**, such conditions constitute a clear and present threat to the lives and property of the people of Broward County;

**WHEREAS**, the unincorporated and incorporated areas of Broward County are threatened and affected;

**WHEREAS**, the Broward County Charter, Broward County Ordinances and Chapter 252, Florida Statutes, empower the Mayor or County Administrator to declare a State of Local Emergency when conditions such as those described above are found to exist; and

**WHEREAS**, Sections 8.53 and 8.56 of the Broward County Code of Ordinances ("County Code") and Chapter 252, Florida Statutes, allow the Broward County Administrator to declare a local state of emergency and to exercise extraordinary powers during the existence of a local state of emergency, including the exercise of certain powers by Emergency Orders,

### **NOW, THEREFORE,**

I, Bertha Henry, County Administrator of Broward County, Florida, do hereby find for the reasons set forth above that a Local State of Emergency exists within both unincorporated and incorporated Broward County, Florida.

Pursuant to pertinent legal authorities, my Office is vested with all powers and authority granted to said position during the existence of the Local State of Emergency proclaimed hereby.

Furthermore, all procedures and formalities are hereby waived pursuant to state law and Section 8-53 of the County Code to the extent necessary for my Office to prepare for and respond to the present local emergency.

My Office shall issue such Emergency Orders as are required to conduct County business and to protect the health, safety, and welfare of people within Broward County, including, without limitation and to the extent permitted under applicable law or emergency authority, to institute a curfew, order the closure of County facilities, restrict travel and movement within Broward County, order evacuations, and such other actions deemed necessary for public safety.

This specifically includes, but is not limited to, the measures described below:

- Recall all Broward County employees from vacation, cancel days off, and mobilize all personnel for disaster response;
- Authorize the Finance and Administrative Services Department to suspend normal leasing and bidding procedures to procure space, structures, or other items under its normal authority for disaster response as determined necessary by the Director;
- Authorize procurement of supplies, equipment, and services without formal bidding procedures;

- Direct the evacuation of appropriate areas of the County deemed to be in imminent danger;

- In the period before, during, and after the storm, coordinate with the municipalities and local law enforcement to impose a general curfew applicable to the County as a whole, or to certain geographical areas of the County, and during hours the County Administrator and/or local officials deem necessary to protect the health, safety, and welfare of the public, and from time to time to modify the hours the curfew will be in effect and to which areas it applies;

- As necessary to protect the health, safety, and welfare of the public, and during the duration of any established curfew, the County Administrator shall coordinate with municipalities and local law enforcement to:

- Require any or all commercial establishments located in areas of imminent or actual danger to close and remain closed until further order;

- Require the closure of any or all bars, taverns, liquor stores, and other business establishments where predominantly alcoholic beverages are sold or otherwise dispensed, provided that with respect to those businesses establishments that are not primarily devoted to the sales of alcoholic beverages, and where such alcoholic beverages may be removed or made secure from seizure by the public, the portions thereof utilized for the sale of items other than alcoholic beverages may, at the discretion of the County Administrator, be allowed to remain open;

- Require the discontinuance of the sale, distribution, or giving away of alcoholic beverages in any or all parts of Broward County; and/or

- Require the discontinuance of the sale, distribution, or giving away of gasoline or other liquid that is flammable or combustible in any container other than a gasoline tank properly attached to a gas-powered vehicle;

- Close to the public any or all public places including streets, alleys, public ways, schools, parks, beaches, amusement areas, and public buildings;

- In addition to the powers stated in the provisions of the County Code, issue orders prohibiting price gouging for any essential commodity, dwelling unit, or storage facility;

- Request the conservation of water supplies; and

- Issue such other orders as are immediately necessary for the protection of life and/or property; provided, however, that any such orders shall, at the earliest practicable time, be presented to the Broward County Board of County Commissioners ("Board") for ratification or confirmation.

Upon issuance, I shall cause any orders or proclamations issued by me, the Mayor, or the Board to be delivered to all news media within Broward County, and shall utilize whatever available means to give public notice of such proclamation.

I, or the Director of Emergency Management, shall issue such emergency orders as are required to conduct County business to protect the health, safety, and welfare of people and property within Broward County. Such orders may include the cancellation and/or rescheduling of any or all meetings of Broward County boards, authorities, agencies, instrumentalities, and councils.

All public officials and employees of Broward County are hereby directed to exercise the utmost diligence in the discharge of duties required of them for the duration of this emergency and in the execution of State and local emergency orders, regulations, and directives.

All people in Broward County are called upon and directed to comply with all

necessary emergency measures, to cooperate with the public officials and civil emergency/disaster services forces executing emergency operational plans, and to obey and comply with the lawful direction of all properly identified public officials.

The Local State of Emergency declared herein shall take effect at 5 P.m. on SAURDAY, November 7, 2020, and shall continue for seven (7) days from that date and time unless modified by proper authority. This Declaration is in addition to, and does not amend or otherwise modify, any other existing Declaration of Local State of Emergency.

BROWARD COUNTY, FLORIDA

By: Bertha Henry  
Bertha Henry  
County Administrator

RECEIVED AND FILED in the Records, Taxes and Treasury Division on this \_\_\_\_\_ day of November, 2020, at \_\_\_\_\_m.

