

## CITY MANAGER DECLARATION 2022

**A DECLARATION BY THE CITY MANAGER OF THE CITY OF BUNNELL, FLORIDA, AS AUTHORIZED AND ORDERED BY EMERGENCY RESOLUTION 2022-13 ADOPTED BY THE BUNNELL CITY COMMISSION ON SEPTEMBER 26, 2022, TO TAKE ALL ACTIONS NECESSARY AND APPROPRIATE TO PROTECT HUMAN LIFE AND PROPERTY OF THE RESIDENTS OF THE CITY OF BUNNELL, FLORIDA**

**WHEREAS**, on September 23, 2022, the Governor issued **Executive Order 22-218** to declare a state of emergency for all counties in the state of Florida, including Flagler County; and

**WHEREAS**, on September 24, 2022, the Governor issues **Executive Order 22-219**, amending **Executive Order 22-218**; and

**WHEREAS**, on September 26, 2022, the City of Bunnell City Commission adopted Emergency Resolution 2022-13 authorizing the City Manager “to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary”; and

**WHEREAS**, on September 26, 2022, the Flagler County Commission adopted Flagler County’s Emergency Order 2022-01, implementing a mandatory evacuation order for certain vulnerable portions of Flagler County; and

**WHEREAS**, on September 26, 2022, the Flagler County Commission adopted Flagler County’s Emergency Order 2022-02 imposing a curfew; and

**WHEREAS**, on September 30, 2022, the Flagler County Commission adopted Flagler County’s Emergency Order 2022-03, rescinding the mandatory evacuation order and the curfew, but implementing restrictions and guidance regarding roadways and public access to water bodies; and

**WHEREAS**, on October 3, 2022, the Flagler County Commission issued a Proclamation Extending the State of Local Emergency for an additional seven days; and

**WHEREAS**, Hurricane Ian has passed; recovery efforts have begun by the County and its municipalities, including the City of Bunnell; and the Emergency Operations Center Policy Group (which includes representation of the municipalities) finds that the mandatory evacuation and curfew are no longer needed; and

**WHEREAS**, local officials are conducting damage assessments countywide of public and private property; and

**WHEREAS**, water levels in canals, creeks, swamps, lakes, and stormwater facilities are continuing to rise as land areas slowly drain flood waters; and

**WHEREAS**, regarding other water bodies for which there is public access or boat ramps, local officials are evaluating their safety; and

**WHEREAS**, debris is present in certain water bodies, including in the ocean and Intercoastal Waterway, and requires caution by boaters and others using the water bodies; and

**WHEREAS**, water levels within the canals of Flagler County are elevated to such an extent that speeding boaters could cause homes along the canals to take on flood waters; and

**WHEREAS**, the City of Bunnell finds that it is in the best interest of the city, businesses, and citizens to waive additional solid waste pick-up fees for excessive yard waste and bulk pick-ups through October 14, 2022; and

**WHEREAS**, the City of Bunnell finds that it is in the best interest of the city, businesses, and citizens to waive certain permitting fees for certain permits needed as a direct result of storm damage, including, but not limited to, HVAC repairs, roof repairs, fence permits, and window replacement, through October 14, 2022; and

**WHEREAS**, the City of Bunnell continues to have problems and issues relating to standing water and stormwater storage and disposal, necessitating continued emergency response by the City, including a 7-day extension of City of Bunnell Resolution 2022-13.

**NOW, THEREFORE**, it is hereby ordered and declared:

**SECTION 1. Recitals.**

The "WHEREAS" clauses are hereby incorporated by reference herein.

**SECTION 2. Authority.**

This Declaration is being adopted pursuant to the State Declaration of Emergency and the City of Bunnell Resolution 2022-13 and pursuant to Section 381.0016, Florida Statutes.

**SECTION 3. Enforcement of Executive Orders and Emergency Orders.**

All Executive Orders issued by the Governor of the State of Florida, cited herein and future Executive Orders, or Emergency Orders by Flagler County, which are in the best interest of safeguarding the health of the residents in the City of Bunnell, shall be enacted and implemented as emergency orders of the City to serve the public interest in recovering from Hurricane Ian. The Executive Orders shall be enforced by the City Manager and the City of Bunnell Chief of Police. To the extent possible, the City of Bunnell shall assist agencies of the State and Flagler County

that request assistance to enforce the Governor's Executive Orders and the County's Emergency Orders.

**SECTION 4. Effective Date.**

This Declaration shall take effect upon filing with the Clerk of Courts of Flagler County in accordance with Section 252.46(2), Florida Statutes, and shall remain in effect for an additional seven days until modified or terminated by subsequent order or until Resolution 2022-13 expires or is rescinded.

**DONE AND ORDERED**, this 3<sup>rd</sup> day of October, 2022.

Attest:

*Bridgett Hume* for K Bates  
Kristen Bates, City Clerk

  
Dr. Alvin Jackson, City Manager

Approved as to Form:

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City Attorney

