

PROCLAMATION 22-01

A PROCLAMATION OF THE MAYOR OF THE CITY OF THE BELLEAIR BEACH PERTAINING TO THE DECLARATION OF EMERGENCY AS A RESULT OF THE EFFECTS OF TROPICAL STORM IAN; PROVIDING FOR STATUTORY AUTHORITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Tropical Storm Ian poses a serious potential threat to the residents of the City of Belleair Beach, Pinellas County, Florida and,

WHEREAS, on September 23, 2022, Governor Ron DeSantis issued Executive Order No. 22-218 which declared a state of emergency existed in twenty-four Florida counties including Pinellas County, Florida in relation to Tropical Depression 9 and that the Comprehensive Emergency Management Plan and other response, recovery and mitigation plans necessary to cope with this of emergency be implemented; and,

WHEREAS, on September 24, 2022, the Pinellas County Board of County Commissioners on Saturday declared a State of Local Emergency for Tropical Storm Ian; and

WHEREAS, Section 14-33 of the City of Belleair Beach Code of Ordinances authorizes the mayor to declare a state of local emergency by proclamation after consulting with the director of emergency management; and

WHEREAS, the City has implemented its Emergency Management Plan pursuant to the provisions of s. 252.38(2) and (3), Florida Statutes allowing the City to appropriate and expend funds, make contracts; obtain and distribute equipment, materials and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to the victims of any emergency; and direct and coordinate the development of emergency management plans and programs in accordance with policies and plans set forth by the federal and state emergency management agencies; to appoint, employ remove or provide for emergency management workers including volunteers; to request state assistance and invoke emergency-related mutual aid assistance through a declaration of a state of local emergency for a period not to exceed seven (7) days; and to waive all of the procedures and formalities otherwise required by a political subdivision by law pertaining to public works projects to ensure the health, safety and welfare of the community, enter into contracts, incur obligations, employment of personnel, utilization of volunteer workers, and appropriate and expend public funds; and

WHEREAS, Section 14-33(c) of the City of Belleair Beach Code of Ordinances states, in part, that:

"(c) Upon the declaration of a state of local emergency pursuant to this article, the enforcement of the following provisions shall, as necessary, be effective during the period of such emergency to protect the health, safety and welfare of the city:

- (1) Curfew, declaring certain areas off limits;
- (2) Regulation of the use of water;
- (3) Prohibition of price gouging and overcharging;" and

WHEREAS, Mayor Dave Gattis has determined that it is in the best interests of the citizens of the City of Belleair Beach, Florida to declare a state of emergency in relation to Tropical Storm Ian.

NOW THEREFORE, BE IT PROCLAIMED by the Mayor of the City of Belleair Beach, Florida that:

1. State of Emergency. A State of Emergency does exist in the City as a result of the potential damage to public and private property and danger to the health, safety and welfare of the citizens of the City that might exist from Tropical Storm Ian.

2. Statutory Authority. The authority and powers granted to the City pursuant to (i) Section 252.38(2) and (3), Florida Statutes and enumerated above, and (ii) Section 14-33 of the City of Belleair Beach Code of Ordinances and enumerated above, are hereby implemented until further notice.

3. Effective Date. This Proclamation shall become effective immediately upon approval of the Mayor of the City of Belleair Beach, Florida.

PROCLAIMED this 26th day of September 2022.

September 26, 2022
Date Approved

APPROVED: Dave Gattis
Dave Gattis, Mayor

ATTEST: Patricia A. Gentry
Patricia A. Gentry, City Clerk