

PROCLAMATION OF LOCAL STATE OF EMERGENCY

A PROCLAMATION OF THE MAYOR OF THE TOWN OF BELLEAIR, FLORIDA, DECLARING A LOCAL STATE OF EMERGENCY IN BELLEAIR DUE TO TROPICAL CYCLONE NINE/TROPICAL STORM HELENE/HURRICANE HELENE AND ITS POTENTIAL THREAT OF HARM TO THE RESIDENTS AND PROPERTY OF THE TOWN OF BELLEAIR.

WHEREAS, as of September 24, 2024, Tropical Cyclone Nine/Tropical Storm Helene/Hurricane Helene poses a serious potential threat to the residents and property of Belleair; and

WHEREAS, Tropical Cyclone Nine/Tropical Storm Helene/Hurricane Helene has the potential for causing extensive damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings and areas; and

WHEREAS, it is therefore necessary for the Town of Belleair to take protective measures to ensure the safety of its residents; and

WHEREAS, on September 23, 2024, the Governor of the State of Florida issued Executive Order 24-208 declaring a State of Emergency as a result of Tropical Cyclone Nine/Tropical Storm Helene/Hurricane Helene; and

WHEREAS, and via Resolution 24-68, the Pinellas County Board of County Commissioners declared a State of Emergency effective on September 24, 2024, and thereby implemented all provisions of the Comprehensive Emergency Management Plan; and

WHEREAS, Chapter 252.38, Florida Statutes, provides authority for the Town of Belleair to declare a Local State of Emergency allowing the Town to waive the procedures and formalities otherwise required of political subdivisions by law pertaining to:

1. Performance of public work and taking whatever prudent 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;

8. Appropriation and expenditure of public funds.

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor of the Town of Belleair that:

Section 1. Tropical Cyclone Nine/Tropical Storm Helene/Hurricane Helene poses a serious threat to the lives and property of residents of Belleair, Florida.

Section 2. A Local State of Emergency exists effective the 24th day of September 2024, 12:00 PM, and shall be effective until rescinded for all territory within the legal boundaries of the Town of Belleair, Florida.

Section 3. The procedures and formalities required by law are hereby waived as provided in Chapter 252, Florida Statutes.

Section 4. As Mayor of the Town of Belleair, I am authorized to promulgate such reasonable regulations as I deem necessary to protect life and preserve critical resources. These regulations may include, but shall not be limited to, the following:

- (1) Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives, and combustibles.
- (2) Establish curfews, including but not limited to the prohibition or restrictions on pedestrian and vehicular movement, standing and parking, except for the provision of designated, essential services such as fire, law enforcement, emergency medical and hospital services, including the transportation of patients, utility emergency repairs and emergency calls by physicians.
- (3) Utilize all available resources of the town government as reasonably necessary to cope with the disaster or emergency, including emergency expenditures not to exceed \$50,000.00.
- (4) Declare certain areas of the town off limits.
- (5) Make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.
- (6) Establish emergency operating centers and shelters in addition to or in place of those provided for in the town's emergency plan.
- (7) Declare that during an emergency it shall be unlawful and an offense against the town for any person to use the potable water supplied by the town for any purpose other than for cooking, drinking, or bathing.
- (8) Declare that during an emergency it shall be unlawful and an offense against the town for any person within the town to charge more than the normal average retail price for any merchandise, goods, or services sold during the emergency. The "average retail price" as used in this

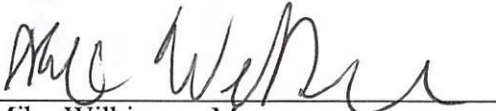
subsection is defined to be that price at which similar merchandise, goods, or services was being sold during the 90 days immediately preceding the emergency or a markup which is a larger percentage over wholesale cost than was being added to wholesale cost prior to the emergency.

- (9) Confiscate merchandise, equipment, vehicles, or property needed to alleviate the emergency. Reimbursement shall be within 60 days and at a customary value charged for the items during the 90 days previous to the emergency.
- (10) Allow the deputy mayor in my absence, or in his absence the town manager, or their designees, on behalf of the town, to request the National Guard, Coast Guard, or other law enforcement divisions as may be necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

Section 5. This proclamation shall be subject to ratification by the Town Commission as soon as practicable.

Dated this 24th day of September 2024.

TOWN OF BELLEAIR


Mike Wilkinson, Mayor


Christine Nicole, Town Clerk

APPROVED AS TO FORM:


Thomas J. Trask, Town Attorney

