

## **EMERGENCY PROCLAMATION TROPICAL STORM Nicole 2022 –03**

WHEREAS, the Governor of the State of Florida issued Executive Order Number 22-253 on November 7, 2022 declaring a State of Emergency for several counties in the State of Florida, including Brevard County; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida issued Emergency Proclamation Tropical Storm Nicole 2022 – #1 on November 8, 2022, declaring a local State of Emergency in Brevard County; and

WHEREAS, the Town of Melbourne Village is encountering impending disaster conditions and a threat exists to the lives and property of the people of the Town; and

WHEREAS, Tropical Storm NICOLE has the potential for causing extensive damage to life and property within the Town of Melbourne Village and is an immediate threat; and

WHEREAS, Tropical Storm NICOLE has the potential for causing extensive damage to public utilities, public buildings, public streets and roads, public drainage systems, commercial and residential buildings and areas; and

WHEREAS, Chapter 252.38(3)(a), Florida Statutes, provides authority for a political subdivision such as the Town of Melbourne Village to declare a state of local emergency and to exercise certain powers and authority to safeguard the lives and property of its citizens.

NOW, THEREFORE, IT IS RESOLVED THIS 9th day of November, 2022, that Tropical Storm NICOLE poses a serious threat to the lives and property of the residents of the Town of Melbourne Village and that a State of Local Emergency is declared effective as of 10:00 a.m. on the 9th day of November, 2022, for all the territory within the legal boundaries of the Town of Melbourne Village.

BE IT FURTHER RESOLVED that the Town Commission of the Town of Melbourne Village hereby authorizes the exercise of its authority and powers pursuant to Florida Statutes 252.38(3)(a) which include the authority and powers to:

- 1) CONTRACTS; EQUIPMENT, SUPPLIES. Appropriately 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 emergencies; and direct and coordinate the development of emergency management plans and programs in accordance with the policies and plans set by the Federal and State Emergency Management Agencies.


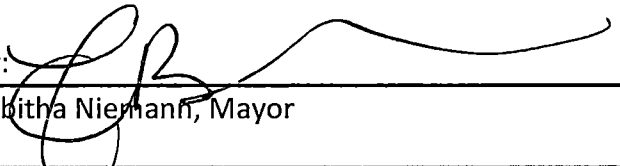
- 2) ADDITIONAL PERSONNEL. Appoint, employ, remove, or provide (with or without compensation), coordinators, rescue teams, fire and police personnel, and other emergency management workers.
- 3) EMERGENCY OPERATING CENTERS. Establish, as necessary, a primary and one or more secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.
- 4) ASSIGNMENT - COUNTY PROPERTY/PERSONNEL. Assign and make available for duty the offices and agencies of the Town of Melbourne Village, including the employees, property, and equipment thereof relating to sheltering, firefighting, engineering, rescue, health, medical and related services, police, transportation, construction, and similar items or services for emergency operation purposes, as the primary emergency management forces of the Town of Melbourne Village for employment within or outside the political limits of the Town.
- 5) REQUEST FOR ASSISTANCE. Request State assistance or invoke emergency related mutual aid assistance by declaring a state of local emergency in the event of emergency affecting the Town of Melbourne Village. The duration of each state of emergency declared locally is limited to seven (7) days; it may be extended, as necessary, in seven (7) day increments.
- 6) WAIVER OF PROCEDURES. To waive the procedures and formalities otherwise required of the Town of Melbourne Village by law pertaining to:
  - a) Performance of public work and taking whatever prudent action necessary to ensure the health, safety, and welfare of the community.
  - b) Entering into contracts.
  - c) Incurring obligations.
  - d) Employment of permanent and temporary workers.
  - e) Utilization of volunteer workers.
  - f) Rental of equipment.
  - g) Acquisition and distribution, with or without compensation, of supplies, materials, and facilities.
  - h) Appropriation and expenditure of public funds.

All public officials and employees of the Town of Melbourne Village are hereby directed to exercise the utmost diligence in the discharge of the duties required of them for the duration of the emergency and in the execution of emergency laws, regulations and directives, state and local:

All citizens are called upon and directed to comply with the necessary emergency measures, to cooperate with public officials and civil emergency disaster service forces in

executing the emergency operational plans, and to obey and comply with the lawful directions of properly identified public officers.

DONE, ORDERED AND ADOPTED THIS 9th day of November, 2022.

ATTEST:  Heather Roberts, Town Clerk	TOWN OF MELBOURNE VILLAGE By:  Tabitha Niemann, Mayor
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