

Mayor's Proclamation

TOWN OF OAKLAND, FLORIDA PROCLAMATION DECLARING STATE OF LOCAL EMERGENCY (Potential Tropical Cyclone Nine)

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Oakland to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, on September 24, 2024, the Honorable Ron DeSantis, Governor of the State of Florida, issued an Executive Order declaring a state of emergency that included Orange County due to Potential Tropical Cyclone Nine; and

WHEREAS, Potential Tropical Cyclone Nine poses a severe threat to the Town of Oakland; and

WHEREAS, the Governor's declaration of emergency includes Orange County along with other counties of the state and for that purpose the State has activated its Division of Emergency Management to execute the State's Comprehensive Emergency Management Plan to cope with the emergency; and

WHEREAS, there is the potential for damage to public buildings, public communications systems, public streets and roads, public drainage systems, and to commercial and residential buildings Town-wide; and

WHEREAS, the Town of Oakland should take timely precautions to protect public and private property and members of the public from the potential effects of Potential Tropical Cyclone Nine; and

WHEREAS, it is the recommendation of the Town Manager that a state of local emergency be declared for the Town of Oakland and that this Resolution declaring a state of local emergency be adopted; and

WHEREAS, the Town of Oakland should take timely precautions to protect public and private property and members of the public from the potential effects of Potential Tropical Cyclone Nine; and

WHEREAS, it is the recommendation of the Town Manager that a state of local emergency be declared for the Town of Oakland and that this Resolution declaring a state of local emergency be adopted.

WHEREAS, the Governor's declaration of emergency extends to a majority of counties in Florida (including Orange County) and for that purpose the State has activated its Division of Emergency Management to execute the State's Comprehensive Emergency Management Plan to cope with the emergency; and



NOW THEREFORE, BE IT DECLARED AS FOLLOWS:

1. The Town Commission of the Town of Oakland, Florida, in accordance with the powers vested in it pursuant to Chapter 252, Florida Statutes, and the Oakland Town Charter, does hereby proclaim the existence of a state of local emergency in the Town of Oakland, Florida, as identified above. This Proclamation shall commence at 8:00 AM on September 25, 2024, and shall terminate automatically seven (7) days from this date unless terminated earlier or extended by a document signed by the Mayor or Vice-Mayor of the Town.
2. The Town Manager (with such term as used herein to include the Assistant Town Manager) is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This declaration further authorizes the Town Manager to utilize all lawful authority granted to the Town of Oakland by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.
3. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order specifically promulgated under this declaration shall be suspended during this period of time and to the extent that such conflict exists.
4. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Oakland Code of Ordinances, to the extent necessary to accommodate the emergency.
5. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:
 - Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
 - Entering into contracts;
 - Incurring obligations;
 - Employment of permanent and temporary workers;
 - Utilization of volunteer workers;
 - Rental of equipment;
 - Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
 - Appropriation and expenditure of public funds



6. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the “Uniform Administrative Requirements, Cost Principles, and Audit Requirements” for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.
7. Any person violating any rule or order issued pursuant to this Proclamation or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefor, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.
8. The continued state of emergency declared by this Proclamation may be modified in whole or in part or may be terminated at any time upon a vote of a majority of a quorum of the Oakland Town Commission. This declaration shall remain in effect for no longer than seven (7) days unless terminated or modified earlier or extended in accordance with law and the provisions of this Proclamation.
9. If any provision of this Proclamation is invalidated by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions of this Proclamation, which shall have the full force and effect of law.

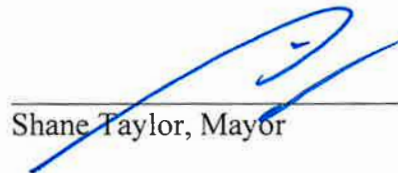
PASSED AND ADOPTED AND PROCLAIMED at the meeting of the Town Commission of the Town of Oakland duly assembled on the 24th day of September 2024.

ATTEST:

TOWN OF OAKLAND, FLORIDA



Elise Hui, Town Clerk



Shane Taylor, Mayor

