

Sec. 2-25. - Declaration of city-wide state of emergency.

(a) *Definitions.*

- (1) *Man-made emergency:* An emergency caused by an action against persons or society, including, but not limited to, enemy attack, sabotage, terrorism, civil unrest, or other action impairing the orderly administration of government.
- (2) *Natural emergency:* An emergency caused by a natural event, including, but not limited to, a hurricane, a storm, a flood, severe wave action, a drought, or an earthquake.
- (3) *State of emergency:* A state of emergency occurs when there has been an occurrence, whether natural, technological, or man-made, or act or threat of violence, which on account thereof, there is reason to believe that there exists a clear and present danger of a riot or other general public disorder, widespread disobedience of the law, or risk substantial injury to persons or to property, all of which constitute an imminent threat to public peace or order and to the general welfare of the area affected or a part thereof.
- (4) *Technological emergency:* An emergency caused by a technological failure or accident, including, but not limited to, an explosion, transportation accident, radiological accident, or chemical or other hazardous material incident.
- (5) *Act or threat of violence emergency:* An emergency due to an act of violence or a flagrant and substantial defiance of, or resistance to, a lawful exercise of public authority.

(b) *Declaration of emergency.* The mayor shall be empowered to declare a local state of emergency within the city by proclamation as needed pursuant to F.S. Ch. 252 or Ch. 870.

(c) *Emergency measures.* After a state of emergency is declared by the county, state or federal government applicable to the City or the Mayor declares a local state of emergency by proclamation pursuant to this section,

- (1) The mayor, at his or her discretion, may concurrently or subsequently set the following emergency measures, as needed:
  - a. Delineate mandatory evacuation zones effective immediately; and/or
  - b. Set curfews within the city.
  - c. Emergency measure(s) authorized pursuant to this section shall remain in effect for the duration of the declared state of emergency, unless repealed earlier by the mayor, or repealed by formal action of the city commission.
- (2) Upon declaration of a state of emergency due to a natural, manmade, or technological emergency, the city manager or designee may implement emergency management powers pursuant to F.S. Ch. 252, as needed during the emergency declaration.
- (3) Based on the declaration of an emergency due to an act or threat of violence, the Mayor may order discretionary emergency measures pursuant to F.S. Ch. 870, as needed during the emergency declaration.

(d) *Notice.*

- (1) The declaration of a local state of emergency by the mayor, any applicable extensions, and any emergency measures must be filed with the city clerk, or designee, as promptly as practicable thereafter and delivered to local news media outlets for publication free of charge over radio and television broadcast.
- (2) If practicable, the mayor's proclamation of a local state of emergency declaration and the emergency measure(s) authorized herein shall be written and published by other means such as by posting on the city's website and announced over loudspeakers or other available platforms.

(e) *Duration.*

- (1) *Natural, manmade or technological emergencies.* The duration of a local state of emergency due to a natural, manmade, or technological emergency shall be limited to seven (7) days, unless terminated earlier by the mayor, or repealed by formal action of the city commission. The state of emergency may be extended by the mayor in seven (7) day increments.
- (2) *Threat of violence emergency.* A declaration of a state of emergency due to an act or threat of violence, shall commence upon the declaration thereof by the mayor and shall terminate at the end of a period of seventy-two (72) consecutive hours thereafter unless terminated by the mayor prior to the end of such 72-hour period. The state of emergency may be extended beyond the 72-hour time limit by request from the mayor with the concurrence of the city commission by duly enacted resolution in regular or special session, unless the nature of the emergency renders a meeting of the city commission impossible. If it is not possible for the city commission to meet, the mayor and the city manager jointly shall have the authority to extend such 72-hour period, which shall be reviewed and ratified by the city commission at the first available opportunity to schedule a city commission meeting.

(Ord. No. 2015-025, § 1, 7-23-15; Ord. No. 2019-003, § 2, 3-14-19; Ord. No. 2019-023, § 2, 9-12-19)