

## **RESOLUTION 19-46**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN RATIFYING THE EXECUTIVE ORDER OF THE CITY MANAGER OF THE CITY OF DUNEDIN, FLORIDA, DECLARING A STATE OF LOCAL EMERGENCY FOR DUNEDIN DUE TO HURRICANE DORIAN AND ITS POTENTIAL THREAT OF HARM TO THE RESIDENTS AND PROPERTY OF THE CITY OF DUNEDIN; PROVIDING A TERMINATION DATE FOR THE EXECUTIVE ORDER; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Hurricane Dorian poses a serious potential threat to the residents and property of Dunedin; and

**WHEREAS**, Hurricane Dorian 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 City of Dunedin to take protective measures to ensure the safety of its residents and property; and

**WHEREAS**, the Governor of the State of Florida has promulgated Executive Order 19-189 on August 28, 2019, which declares a State of Emergency due to Hurricane Dorian for the following counties: Baker, Bradford, Brevard, Broward, Clay, Duval, Flagler, Glades, Hendry, Highlands, Indian River, Lake, Martin, Miami-Dade, Monroe, Nassau, Okeechobee Orange, Osceola, Palm Beach, Putnam, Seminole, St Johns, St. Lucie, Union and Volusia; and

**WHEREAS**, the Governor of the State of Florida has promulgated Executive Order 19-190 on August 29, 2019, which amends Executive Order 19-189, to include the Gulf Coast and the Northwest Florida counties; and

**WHEREAS**, the Board of Commissioners of Pinellas County has declared a State of Emergency effective 9:12 a.m. on Saturday, August 31, 2019, and has

authorized County officials to order evacuations should they become necessary;  
and

**WHEREAS**, Chapter 252, Florida Statutes, provides authority for the City of Dunedin to declare a State of Emergency allowing the City to waive the procedures and formalities otherwise required of political subdivisions by law pertaining to:

1. Performance of public work and taking whatever 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 expenditures of public funds.

**WHEREAS**, the City Manager of the City of Dunedin issued Executive Order 19-01 at approximately 1:30 p.m. on August 31, 2019, providing for Declaration of a State of Emergency within the City of Dunedin; and

**WHEREAS**, the City Commission wishes to terminate Executive Order 19-01 at 5:00 p.m. on September 6, 2019.

**NOW, THEREFORE**, be it resolved by the City Commission of the City of Dunedin, Florida, in session duly and regularly assembled:

**Section 1.** That Hurricane Dorian poses a serious threat to the lives and property of residents of Dunedin, Florida.

**Section 2.** That a State of Local Emergency exists effective the 31st day of August, 2019 and shall be effective until rescinded for all territory within the legal boundaries of the City of Dunedin, Florida.

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

**Section 4.** That the City Manager of the City of Dunedin may promulgate such reasonable regulations as she deems necessary to protect life and property and preserve critical resources. The regulations may include, but shall not be limited to, the following:

1. Regulations prohibiting or restricting the movement of vehicles in order to facilitate the mass movement of persons from critical areas of the city.
2. Regulations prohibiting or restricting the movement of persons from areas deemed to be hazardous.
3. Recommend the evacuation of all or part of the population from any stricken or threatened area within the city if she deems this action necessary for the preservation of life or other disaster mitigation, response or recovery.
4. Prescribe routes, modes of transportation and destination in connection with evacuation.
5. Control ingress and egress to and from a disaster area, the movement of persons within the area and the occupancy of premises therein.
6. Order a general curfew applicable to such geographical areas of the city or to the city as a whole as the City Manager deems advisable,

which curfew shall be applicable during such hours of the day or night as the city manager deems necessary in the interest of the public safety and welfare.

7. Order the closing of all retail liquor stores.
8. Order the closing of all beer taverns.
9. Order the closing of all private clubs or their portions wherein the consumption of intoxicating liquor or beer is permitted.
10. Order the discontinuance of the sale of beer.
11. Order the discontinuance of the selling, distributing or giving away of gasoline or other liquid, flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle.
12. Order the closing of gasoline stations or other establishments, the chief activity of which is the sale, distribution or dispensing of liquid, flammable or combustible products.
13. Order the discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever.
14. Order the closing of any or all establishments or their portions, the chief activity of which is the sale, distribution, dispensing or giving away of firearms or ammunition.
15. Issue such other orders as are imminently necessary for the protection of life and property.

**Section 5.** That Executive Order 19-01 issued by the City Manager is hereby ratified.

**Section 6.** That Executive Order 19-01 shall terminate at 5:00 p.m. on Friday, September 6, 2019.

**Section 7.** That this Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 5th day of September, 2019.**

**CITY OF DUNEDIN**

  
\_\_\_\_\_  
Julie Ward Bujalski  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
Denise M. Kirkpatrick  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Thomas J. Trask, Esquire  
City Attorney