

RESOLUTION NO. 2022-20

A RESOLUTION OF THE DEBARY CITY COUNCIL PROVIDING FOR THE EXTENSION OF THE DECLARATION OF STATE OF GENERAL EMERGENCY WITH REGARD TO HURRICANE IAN; PROVIDING FOR CONTINUANCE OF EMERGENCY AUTHORIZATIONS AND POWERS FOR THE CITY AND CITY MANAGER; PROVIDING FOR DURATION; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Mayor, as the Emergency Authorization Official for the City Council of the City of DeBary (“City”) previously executed Resolution 2022-18 declaring a general state of emergency within the City, effective 3:00 PM on September 26, 2022, which Resolution 2022-18 has been or otherwise will be affirmed and ratified by the City Council at its October 5, 2022 City Council meeting, and previously executed Resolution 2022-19 extending the declaration of general state of emergency, effective 3:00 PM on October 3, 2022, which Resolution 2022-19 has been or otherwise will be affirmed and ratified by the City Council at its October 19, 2022 City Council meeting; and

WHEREAS, as the Emergency Authorization Official, the Mayor has the authority to execute this resolution extending Resolution No. 2022-19 and extend the previously declared general state of emergency pursuant to Resolution No. 2022-19 in accordance with Chapter 26, Article III of the City Code and Part I of Chapter 252, Florida Statutes; and

WHEREAS, the Mayor and City Council find that emergency conditions continue to exist within the City of DeBary in the aftermath of Hurricane Ian and that Resolution No. 2022-19 should be extended for an additional seven (7) days to assist the City Council, City Manager, and City staff in continuing to address and take remedial action with respect to such conditions and the effects thereof; and

WHEREAS, it is anticipated that the City Council will duly meet, ratify, and execute this resolution extending Resolution 2022-19 as soon as practicable.

NOW, THEREFORE, pursuant to Chapter 26, Article III of the City Code, and Chapter 252, Florida Statutes, the Emergency Authorization Official and City Council finds and declares:

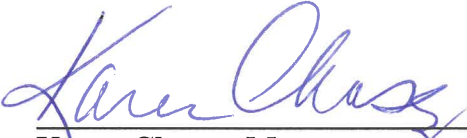
1. The above recitals are true and correct and are hereby incorporated into this resolution.
2. The Declaration of State of General Emergency issued on September 26, 2022, is hereby extended, effective at 3:00 PM, October 3, 2022, for an additional period of seven (7) days until 3:00 PM, October 10, 2022, is extended for an additional period of seven (7) days until 3:00 PM, October 17, 2022.
3. If any part or provision of this Resolution is declared or determined invalid or inconsistent with state law by a court of competent jurisdiction, the remaining

provisions of this Resolution will remain in effect to the extent practicable given the removal of the invalid or inconsistent provision.

6. This resolution will be transmitted to the Florida Division of Emergency Management upon adoption.
7. Pursuant to § 252.46(2), Florida Statutes, this resolution must be filed with the office of the City Clerk within three (3) days of the Resolution's adoption.
8. Pursuant to § 252.46(3), Florida Statutes, a copy of this resolution will be made available on a dedicated web page accessible through a conspicuous link on the City's homepage. Such dedicated web page must identify any and all emergency ordinances, declarations, and other orders currently in effect for the City of DeBary. City staff is further directed to provide the link to such dedicated web page to the Florida Division of Emergency Management.
9. By executing this resolution, the Mayor, as the City's Emergency Authorization Official in accordance with Chapter 26, Article III of the City Code and Chapter 252, Florida Statutes, hereby extends the previously declared state of general emergency declared in Resolution 2022-18 and Resolution 2022-19, including all authorizations set forth therein, regardless of whether the City Council has executed or ratified this resolution.

ADOPTED THIS 10th DAY OF OCTOBER 2022.

**CITY COUNCIL
CITY OF DeBARY, FLORIDA**



**Karen Chasez, Mayor
Emergency Authorization Official**

Attest:



Annette Hatch, CMC, City Clerk