



PROCLAMATION NO. 2023-05
Declaration of State of Local Emergency

WHEREAS, HURRICANE IDALIA hit Hernando County August 30, 2023, and there currently exists danger to health, safety, and well-being to the citizens of Hernando County; and,

WHEREAS, it is incumbent upon Hernando County, Florida, a political subdivision of the State of Florida, to take every measure to ensure the safety and well-being of its citizens and their property located in Hernando County; and,

WHEREAS, Hernando County has enacted an Emergency Plan pursuant to Florida Statutes and in support of such plan, it is necessary that the departments, agencies, and services of Hernando County make continuous effective responses by continuing their emergency responsibilities for management of several conditions of possible disaster and to promote rapid recovery from the effects thereof; and,

WHEREAS, on August 27, 2023, Hernando County adopted Proclamation 2023-01 which declared a local State of Emergency due to HURRICANE IDALIA; and,

WHEREAS, on September 2, 2023, Hernando County adopted Proclamation 2023-02 which extended the local State of Emergency due to HURRICANE IDALIA to September 9, 2023; and,

WHEREAS, on September 8, 2023, Hernando County adopted Proclamation 2023-03 which extended the local State of Emergency due to HURRICANE IDALIA to September 16, 2023; and,

WHEREAS, on September 15, 2023, Hernando County adopted Proclamation 2023-04 which extended the local State of Emergency due to HURRICANE IDALIA to September 23, 2023; and,

WHEREAS, it appears HURRICANE IDALIA delivered extreme storm surge, heavy rains, and winds which resulted in severe flooding along the coast of the Gulf of Mexico (but not limited to said area), wind damage, and spawned possible tornadic activity; and,

WHEREAS, pursuant to the powers vested in me by Chapter 252, Florida Statutes and Executive Order Number 23-171, later amended with Executive Order Number 23-172 by the Governor of the State of Florida, and the Hernando County Code, Article XII, §§ 21-201 through 21-210.

NOW, THEREFORE, I, John Allocco, Chairman of the Board of County Commissioners of Hernando County, Florida, proclaim and declare as follows:

SECTION 1. A state of local emergency is hereby declared extended on September 23, 2023, at midnight due to HURRICANE IDALIA's severe storm surge, heavy rains, and winds which resulted in extreme flooding, wind damage, and possible tornadic activity.

SECTION 2. This State of Local Emergency is extended for a period of seven (7) days beginning September 23, 2023, at midnight and may be altered or rescinded during the continued or threatened existence of the local emergency by the issuance of subsequent directives or orders by myself or my designee.

SECTION 3. During this State of Local Emergency, Hernando County may impose any and all emergency powers and restrictions enumerated herein and in its Emergency Plan which emergency powers and restrictions are incorporated, but not limited to herein by reference and made a part hereof, to wit:

(1) Prohibit or regulate the purchase, sale, transfer, or possession of explosives, combustibles, or alcoholic beverages.

(2) Prohibit or regulate any demonstration, parade, march, vigil, or participation therein from taking place on any public right-of-way or upon any public property.

(3) Prohibit or regulate any sale or use of gasoline, kerosene, naphtha or any other explosive or flammable fluids or substances but may allow the delivery of such into a tank properly affixed to an operable motor vehicle, bike, scooter, boat, or airplane and necessary for the propulsion thereof.

(4) Prohibit or regulate the possession of any portable container containing gasoline or other flammable or combustible liquid.

(5) Prohibit or regulate the participation in or carrying on of any business activity, and the keeping open of places of business, places of entertainment, and any other place of public assembly when such activities may negatively impact public health, safety, and welfare.

(6) Prohibit or regulate travel upon any public street or highway or upon any other public property. Persons in search of medical assistance, food, or other commodity or service necessary to sustain the wellbeing of themselves or their families may be exempted from such prohibition or regulation.

(7) A curfew upon any or all portions of the county prohibiting persons from being on public streets, highways, parks, or other public places during the hours the curfew is in effect.

(8) Prohibit state and/or local business licensees, vendors, merchants, and any other person operating a retail business from charging more than the normal average retail price for any goods, materials, or services sold during a declared state of local emergency. The "average retail price," as used herein, is defined as that price at which similar goods, materials or services were being sold during the ninety (90) days immediately preceding the declared state of local emergency. If the wholesale price or the cost of obtaining the goods, materials, or services has increased as a direct result of the local emergency, the average retail price may be increased, but only to the degree that the maximum increase in retail price shall be less than or equal to the amount representative of the average mark-up between the wholesale and average retail price for any goods, materials or services during the ninety (90) day period immediately preceding the declared state of local emergency.

(9) Prohibit any person, firm, or corporation from using the fresh water supplied by public water systems for any purpose other than cooking, drinking, or bathing.

SECTION 4. By appropriate proclamation, decree, directive, or other lawful order, the County, acting through its officers, employees, and agents and through the Sheriff's Office of Hernando County, may take any other necessary actions required to cope with the conditions related hereunder, stated herein but not limited to, to wit:

- (a) Allow additional flexibility in moving forward with debris removal and other emergency protective measures such as water notices and warn and react to potential for significant flooding.
- (b) Respond to significant power outages countywide.
- (c) Open shelters as needed.
- (d) Assist other counties as needed.
- (e) Address the critical lack of fire suppression flows and the current potable water problems.


SECTION 5. All departments and agencies of Hernando County shall perform emergency functions as designated in the promulgated Emergency Plan and shall make available other resources of such departments and agencies as necessary to effectuate this Proclamation.

SECTION 6. This Proclamation may be extended by separate action of the Chairman or other authorized person upon continuing emergency conditions.

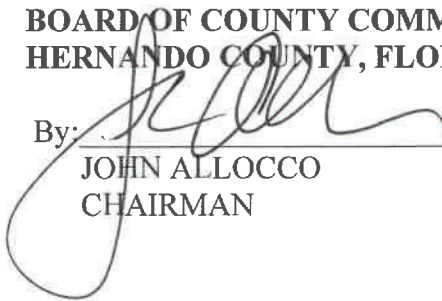
[Signatures on following page.]

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused this Proclamation to become effective September 23, 2023, and through September 30, 2023, at 11:59 p.m., in Brooksville, Hernando County, Florida.

DATED this 22th day of September 2023.

Attest: 

DOUGLAS A. CHORVAT, JR.
CLERK OF CIRCUIT COURT

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**
By: 

JOHN ALLOCCO
CHAIRMAN

Approved to form and legal sufficiency:

By: 

County Attorney's Office