

# Proclamation



## ***DECLARATION OF THIRD EXTENSION OF THE STATE OF LOCAL EMERGENCY FOR HURRICANE MILTON***

**WHEREAS**, Section 252.38(3)(a), Florida Statutes, gives authority to political subdivisions to declare and enact a State of Local Emergency for a period of up to seven (7) days and to take certain measures that are in the interest of the public health, safety and welfare; and

**WHEREAS**, on the 23<sup>rd</sup> day of September, 2024, the Governor of the State of Florida issued Executive Order Number 24-208, amended by Executive Order 24-209, declaring a State of Emergency for various counties in Florida, including Pinellas County; and

**WHEREAS**, the Pinellas County Board of Commissioners met on the 24<sup>th</sup> day of September, 2024, and declared a Local State of Emergency; and

**WHEREAS**, the Town of Indian Shores met on the 24<sup>th</sup> day of September, 2024 and declared a Local State of Emergency; and

**WHEREAS**, on the 5th day of October, 2024, the Governor of the State of Florida issued Executive Order Number 24-214, declaring a State of Emergency for various counties in Florida, including Pinellas County due to the potential due to the potential damaging effect of Hurricane Milton; and

**WHEREAS**, the Pinellas County Board of Commissioners met on the 7th day of October, 2024, and extended the Local State of Emergency due to the potential damaging effect of Hurricane Milton; and

**WHEREAS**, the Town of Indian Shores met on the 7<sup>th</sup> day of October, 2024 and declared a Local State of Emergency;

**WHEREAS**, the Town of Indian Shores suffered extensive damage to its

infrastructure from the wind, rainfall, and storm surge from Hurricane Helene and Hurricane Milton; and

**WHEREAS**, these conditions continue to constitute a potential life threatening situation for the citizens and visitors to the Town of Indian Shores and are expected to continue for some undefined period of time; and

**WHEREAS**, the Town's Emergency Ordinances are contained in Chapter 26, Town of Indian Shores Code of Ordinances ("Town Code"); and

**WHEREAS**, Chapter 26-72 of the Town Code authorizes the waiver of procedures and formalities otherwise required of political subdivisions to take whatever prudent actions necessary to endure the health, safety, and welfare of the community in the event of a state of emergency, when quorum of the town council is unable to meet, the mayor or vice-mayor in her absence, or the chief of police, or his designee are empowered to declare a local state of emergency whenever it is determined that natural or man-made disaster or emergency has occurred; and

**WHEREAS**, Chapter 26-74 of the Town Code provides that the state of emergency shall continue until the mayor or vice-mayor in her absence, or chief of police, or designee, in the absence of the mayor and vice-mayor, finds that the threat or danger no longer exists and/or until an emergency meeting of a quorum of the town council can take place and determine the state of emergency by proclamation

**WHEREAS**, the Town Council through its Proclamation of State of Local Emergency dated the 7<sup>th</sup> day of October, 2024 authorize the Mayor to extend the duration of the state of local emergency in seven-day increments upon request from the Chief of Police, so long as a state of emergency continues to exist in the State of Florida and a state of local emergency continues to exist in Pinellas County; and

**WHEREAS**, the Chief of Police has requested to extend the State of Local Emergency another seven (7) days due to the continued potential life-threatening situation to residents and visitors to the Town of Indian Shores; and

**WHEREAS**, the State of Florida and Pinellas County are still under a State of Emergency; and

**WHEREAS**, the Town of Indian Shores has a municipal emergency management program, ("Plan"); and

**WHEREAS**, the purpose of this Proclamation is to extend the duration of the Plan and continue authorization of all Town officers, employees, and agents to

perform their respective duties, functions, and obligations as set forth in such Plan, the State Emergency Management Act and the Statewide Mutual Aid Agreement, and all other legal authority, under the general direction and control of the Incident Commander, as set forth in such Plan and law.

**WHEREAS**, Diantha Schear, Mayor of the Town of Indian Shores, declares the extension of the State of Local Emergency for the Town of Indian Shores for an additional seven (7) days as provided by Chapter 26-72 and 26-74 of the Town Code and Fla. Stat. §252.38(3)(a) is necessary to protect the health, safety, and welfare of the community.

**Now, Therefore, be it proclaimed that I, Diantha Schear, Mayor of the Town of Indian Shores, Pinellas County, Florida, do hereby proclaim and declare, on this 28<sup>th</sup> day of October, 2024, pursuant to Chapter 26-72 and 26-74 of the Town Code and Fla. Stat. §252.38(3)(a), the third extension of the State of Local Emergency to be extended an additional seven (7) days until 10:00 A.M. on November 4, 2024.**

ATTEST:

  
DIANTHA SCHEAR  
Mayor

  
FREDDIE LOZANO, CMC  
Town Clerk

