

**ORDER OF THE HILLSBOROUGH COUNTY ADMINISTRATOR
DECLARING A STATE OF LOCAL EMERGENCY
IN RESPONSE TO A COUNTYWIDE THREAT FROM
POTENTIAL TROPICAL CYCLONE NINE**

WHEREAS, the State of Florida and Hillsborough County are experiencing an imminent threat of personal injury and property damage due to the approach of Potential Tropical Cyclone Nine as it moves towards the State of Florida; and

WHEREAS, Potential Tropical Cyclone Nine's forecast is uncertain, but has a significant probability of making landfall along the west coast of Florida as a tropical storm or hurricane, which tract poses a potentially serious and imminent threat to the Hillsborough County area; and

WHEREAS, there is significant threat of storm surge, coastal flooding and erosion, heavy rainfall and flash flooding, and damaging winds to Hillsborough County and the surrounding area; and

WHEREAS, due to the impacts from Hurricane Debby, the water tables and riverine levels across West-Central Florida remain above normal, and the additional incoming heavy rainfall will likely cause significant riverine flooding for an extended period: and

WHEREAS, the incoming heavy rainfall, flooding, and gusty winds will cause widespread power outages due to fallen trees and powerlines: and

WHEREAS, the threat of strong winds and flooding creates the possibility that certain areas of Hillsborough County may require evacuation in order to protect the safety and welfare of the citizens living in the affected areas; and

WHEREAS, the Governor of the State of Florida on September 23, 2024, issued Executive Order (EO) 24-208, declaring that a state of emergency exists in portions of Florida's Gulf Coast, including Hillsborough County, as a result of the threat from Potential Tropical Cyclone Nine; and

WHEREAS, EO 24-208 authorizes local governments in the State to begin taking actions to address or assist in the response, recovery, and mitigation needs created by the storm threat; and

WHEREAS, EO 24-208 recognizes that additional steps, actions, and cooperation between both local governments and private entities in order to adequately make storm preparations will be required; and

WHEREAS, the projected path of Potential Tropical Cyclone Nine remains uncertain, but computer tracks show that the storm may take a path towards Hillsborough County; and

WHEREAS, forecast models indicate that this system will have a vast areal extent, and its impact will likely extend well beyond its center; and

WHEREAS, Hillsborough County must take timely emergency measures due to (1) the heightened potential for injury or damage to life and property within the County; (2) the length of time required to evacuate residents and visitors from the hazards of a tropical storm or hurricane; (3) the length of time required to prepare host shelter accommodations for residents evacuating from stricken areas; and (4) the increased efforts required to supply and staff shelters; and

WHEREAS, the margin of error of the National Hurricane Center’s meteorological forecast does not allow for confident prediction of the location of the storm relative to the time period required to complete preparations and evacuations; and

WHEREAS, certain additional specialized equipment and personnel may be required to assist in evacuation and protective action with regard to life and property; and

WHEREAS, other measures may have to be taken in order to mitigate the potential for causing further threatening conditions as well as extensive damage to public utilities, public buildings, public communications systems, public streets and roads, public drainage systems, commercial and residential buildings and areas; and

WHEREAS, Chapter 252, Florida Statutes, and the Hillsborough County Emergency Management Ordinance (codified as Chapter 22, Article II, Sections 22-19 through 22-29, Hillsborough County Code of Ordinances and Laws), as amended, authorizes Hillsborough County to declare a state of local emergency; and

WHEREAS, Chapter 22, Article II, Section 22-21, Hillsborough County Code of Ordinances and Laws, empowers the Board Chair, or County Administrator, as designee, to declare that a local state of emergency exists; and

WHEREAS, a state of emergency declared under the authority of Chapter 252, Florida Statutes, and the Hillsborough County Emergency Management Ordinance, shall have a duration of no more than seven days, renewable for further periods of no more than seven days; and

WHEREAS, in order to properly prepare emergency response staff and equipment, it is prudent to have a local emergency declaration in place prior to experiencing tropical storm conditions.

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY ADMINISTRATOR THIS 23RD DAY OF SEPTEMBER, 2024, THAT:

1. The imminent approach of Potential Tropical Cyclone Nine, along with anticipated increased rain, storm surge, flooding, and strong winds, poses a serious threat to the health, safety, and welfare the people and property of Hillsborough County, Florida, and that a state of local emergency is hereby declared, effective immediately for the incorporated and unincorporated areas of Hillsborough County.

2. The provisions of Chapter 22, Article II, Sections 22-19 through 22-29, Hillsborough County Code of Ordinances and Laws, and the emergency provisions of the Hillsborough County Comprehensive Emergency Management Plan shall be implemented at the discretion of the County Administrator, as designee, in consultation with the Director of Emergency Management and emergency response staff.
3. The evacuation of areas or zones, so determined as an evacuation area or zone by the County Administrator, upon the advice of the Director of Emergency Management, and emergency response staff, may be ordered.
4. The County Administrator is hereby given the authority to:
 - a. Determine whether any specific areas or zones of the County are to be evacuated;
 - b. Order* the evacuation of all persons from all areas of Hillsborough County designated as evacuation zones;
 - c. Any evacuation order issued by the County Administrator shall be narrowly tailored to serve a compelling public health or safety purpose and shall be limited in its duration, applicability, and scope in order to reduce any infringement on individual rights or liberties to the greatest extent possible.
 - d. Direct the sequence in which such evacuations shall be carried out, including the time any evacuations are to begin, as well as the time such evacuations are to be completed; and,
 - e. Regulate the movement of persons and traffic to, from, or within any location in Hillsborough County to the extent needed to cope with this emergency.

**Any evacuation order issued by the County Administrator shall be in writing, immediately disseminated by all practical means so as to inform the public in the affected areas and filed with the Board of County Commissioner's (BOCC) Clerk. An Order of Evacuation shall become effective upon execution by the County Administrator. The County Administrator shall have the authority to amend, rescind, or terminate any evacuation order.*

5. The County Administrator is hereby empowered and authorized to waive the procedures and formalities otherwise required of the County by law or ordinance pertaining to any action designated in Section 252.38, F.S., and/or Section 22-22(d) of Hillsborough County Code.
6. The County Administrator is further empowered to carry out all emergency responsibilities delegated by the Governor to the political subdivisions of the State.
7. The emergency management powers of the County, as set out in section 22-22 of the Hillsborough County Emergency Management Ordinance, not already

implemented by this Order, are hereby delegated to the County Administrator.

8. All State and/or local business licensees, vendors, merchants, and any other person operating a retail business in Hillsborough County, are hereby prohibited from charging more than the normal average retail price, as defined in Section 22-22 (c) (7), of Hillsborough County Code, for any goods, materials, or services sold during the duration or any extension of this declaration of emergency.
9. Pursuant to Section 252.38(a), F.S., the County has jurisdiction over and serves the entire county. Therefore, all municipalities within Hillsborough County shall coordinate their storm preparation or response actions with the County Administrator and the Office of Emergency Management.
10. Nothing in this Executive Order provides the County Administrator, Board Chair, or the Board the authority to regulate the use or possession of firearms contrary to the provisions of Chapter 790, Florida Statutes.
11. All ordinances and rules (including County policies and procedures) inconsistent with sections 252.31 – 252.90, F.S., or this order, are hereby suspended during the duration of this order and to the extent that such conflict exists.
12. The State of Florida Executive Order-24-208, as it may be amended, is hereby adopted and incorporated into this Executive Order.
13. If any provision of this order is determined to conflict with either an executive order of the Governor or Florida Statutes, then the relevant executive order or statute shall control.
14. This Executive Order shall take effect immediately upon adoption and shall remain in effect for seven days unless extended or rescinded

Executed this 23rd day of September, 2024.



**Bonnie M. Wise, County Administrator
Hillsborough County**

APPROVED BY COUNTY ATTORNEY

By: *Ernesto Mayor Jr.*

Approved as to Form and Legal Sufficiency

**STATE OF FLORIDA
COUNTY OF HILLSBOROUGH**

I, **CINDY STUART**, Clerk of the Circuit Court and Ex Officio Clerk of the Board of the County Commissioners, do hereby certify that the above and foregoing Order is a true and correct copy of an Order executed by the County Administrator on September 23, 2024.

WITNESS my hand and official seal this 23rd day of September, 2024.

CINDY STUART
Clerk of Circuit Court

BY: _____

Deputy Clerk

