

**PALM BEACH COUNTY, FLORIDA,
DECLARATION OF STATE OF LOCAL EMERGENCY
EFFECTIVE MONDAY, NOVEMBER 7, 2022**

WHEREAS, the Board of County Commissioners of Palm Beach County has been informed by its emergency management staff of the imminent threat posed by Subtropical Storm Nicole; and

WHEREAS, Subtropical Storm Nicole, has the capacity to pose a significant, imminent, and dangerous threat to the health, safety, and welfare of the inhabitants of Palm Beach County, Florida, visitors and tourists in Palm Beach County, Florida, as well as their real and personal property; and

WHEREAS, the Governor issued Executive Order No. 22-253 declaring a State of Emergency for Palm Beach County; and

WHEREAS, the threat posed by Subtropical Storm Nicole requires timely precautions to prepare and protect critical infrastructure within Palm Beach County; and

WHEREAS, there are exigent circumstances surrounding Subtropical Storm Nicole, such that a regular or special/emergency meeting of the Board of County Commissioners may not practically be convened or allow for the Mayor or Vice-Mayor to execute a resolution to declare a state of local emergency; and

WHEREAS, Palm Beach County Code Chapter 9, Article II, Section 9-35 and Section 252.38(3)(a)(5), Florida Statutes, provide that in such event, the County Administrator may declare a state of local emergency.

NOW, THEREFORE, BE IT PROCLAIMED AND DECLARED:

1. The above recitals are true and correct and are incorporated herein by reference.

2. I am the County Administrator of Palm Beach County, Florida.
3. The exigent circumstances surrounding Subtropical Storm Nicole do not allow for a regular or special/emergency meeting of the Board of County Commissioners to practically be convened or allow for the Mayor or Vice-Mayor to execute a resolution to declare a state of local emergency.
4. Pursuant to Palm Beach County Code Article II, Section 9-35, in such event, the County Administrator may declare a state of local emergency.
5. A state of local emergency hereby exists in Palm Beach County, Florida, effective **for seven (7) days beginning at 1:00 p.m., this 7th day of November, 2022.**
6. On behalf of the Board of County Commissioners, I hereby waive the procedures and formalities otherwise required of Palm Beach County pertaining to:
 - a. Performance of public work and any other prudent action necessary to ensure the health, safety, and welfare of the citizens of Palm Beach County.
 - b. Entering into contracts.
 - c. Incurring obligations.
 - d. Employment of permanent and temporary workers.
 - e. Utilization of volunteer workers.
 - f. Rental of equipment.
 - g. Acquisition and distribution, with or without compensation, of supplies, materials, and facilities.
 - h. Appropriation and expenditure of public funds.
7. The County Administrator or designee is hereby empowered, authorized, and directed to exercise, on behalf of the Board of County Commissioners, such emergency powers

necessary to carry out the provisions of Chapter 252, Florida Statutes and Palm Beach County Code Article II, Section 9-35 to provide for the health and safety of persons and property including, but not limited to, the powers to direct and compel evacuation of all or part of the population from stricken or threatened areas within Palm Beach County, if such action is deemed necessary to reduce the vulnerability of people in communities of Palm Beach County to damage, injury, and loss of life and property resulting from the imminent threat, as well as any other powers expressly or implicitly conferred pursuant to Chapters 125 and 252, Florida Statutes, Palm Beach County Code Article II, Section 9-35 and any other provision of law or county ordinance.

8. This State of Emergency shall extend for a period of 7 days and may be extended as necessary in 7 day increments pursuant to Section 252.38(3)(a)(5) as determined by the County Administrator or designee, or until further action by the Board of County Commissioners terminates such authority or declares that the State of Emergency has ended.

9. This Declaration shall be transmitted to the Secretary of State upon adoption and a copy shall be filed with the Clerk of Court.

PALM BEACH COUNTY, FLORIDA

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: *VBaker*
Verdenia C. Baker, County Administrator

By: /s/ Denise Coffman, Esq.
County Attorney

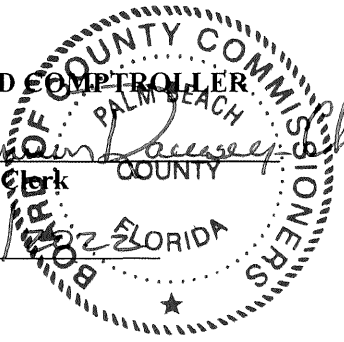
11/7/2022
Date

ATTEST
CLERK AND COMPTROLLER

Joseph Abruzzo
Clerk of the Circuit Court & Comptroller
Palm Beach County

By: *Sharon Lawrence*
Deputy Clerk

11/7/2022
Date



**PALM BEACH COUNTY, FLORIDA
ORDER TO REDUCE VULNERABILITY
TO DAMAGE, INJURY, AND LOSS OF LIFE OR PROPERTY
RESULTING FROM AN IMMINENT THREAT**

WHEREAS, the Board of County Commissioners of Palm Beach County has been informed by its emergency management staff of the imminent threat posed by Tropical Storm Nicole; and

WHEREAS, on Monday, November 7, 2022 a State of Local Emergency was declared due to the imminent threat imposed by Tropical Storm Nicole; and

WHEREAS, Tropical Storm Nicole has the capacity to pose a significant, imminent, and dangerous threat to the health, safety, and welfare of the inhabitants of Palm Beach County, Florida, visitors and tourists in Palm Beach County, Florida, as well as their real and personal property; and

WHEREAS, Pursuant to Palm Beach County Code Section 9-35, the County Administrator or her designee is empowered, authorized, and directed to exercise, on behalf of the Board of County Commissioners, such emergency powers necessary to carry out the provisions of Chapter 252, Florida Statutes, including, but not limited to, the powers to direct and compel evacuation of all or part of the population from stricken or threatened areas within Palm Beach County, if such action is deemed necessary to reduce the vulnerability of people in communities of Palm Beach County to damage, injury, and loss of life and property resulting from the imminent threat, as well as any other powers expressly or implicitly conferred pursuant to Chapters 125 and 252, Florida Statutes, and any other provision of law or county ordinance.

WHEREAS, the Attorney General of Florida in Op. Atty. Gen. Fla. 95-24 has confirmed the power of counties to order evacuation of county citizens when threatened with a disaster.

NOW, THEREFORE, pursuant to Chapter 252, Florida Statutes, Op. Atty Gen. 95-24, Executive Order No. 22-253 and Palm Beach County Code Article II, Section 9-35, I hereby find and declare:

1. The above recitals are true and are incorporated herein by reference.
2. I am the County Administrator of Palm Beach County, Florida.

3. I am duly authorized to carry out the emergency management functions delegated by the Board of County Commissioners to the County Administrator or her designee.

4. The following areas of Palm Beach County are threatened by Tropical Storm Nicole and are hereby designated the “affected area:”

Evacuation Zone A

Evacuation Zone B

Evacuation Zone C

Evacuation Zone D

Evacuation Zone E

Other _____

5. In order to reduce the vulnerability of the population in the affected area to damage, injury and loss of life or property resulting from the imminent threat, and in order to prepare and allow for prompt and efficient restoration of order, assessment and response to damage and injuries to persons and property, I order and direct that the affected area be evacuated.

6. In order to reduce the vulnerability of the population in the affected area to damage, injury and loss of life or property resulting from the imminent threat, I order and direct that no persons, except duly authorized law enforcement or emergency management personnel be allowed to enter the affected area.

7. The Palm Beach County Sheriff and his deputies and assigns are authorized and empowered to enforce and implement this order.

8. This order shall take effect at 7:00 am on November 9, 2022, and will remain in effect until the State of Local Emergency is lifted, or until further order.

PALM BEACH COUNTY, FLORIDA

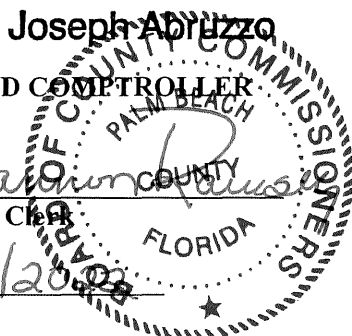
APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Verdenia C. Baker
Verdenia C. Baker, County Administrator

By: /s/ Denise Coffman, Esq.
County Attorney

11/8/2022
Date

ATTEST
CLERK AND COMPTROLLER



By: Sharon Rouse Cheasman
Deputy Clerk
11/8/2022
Date



County Administration
P.O. Box 1989
West Palm Beach, FL 33402-1989
(561) 355-2040
FAX: (561) 355-3982
www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

Robert S. Weinroth, Mayor
Gregg K. Weiss, Vice Mayor

Maria G. Marino
Dave Kerner
Maria Sachs
Melissa McKinlay
Mack Bernard

County Administrator
Verdenia C. Baker

DATE: November 10, 2022
TO: Palm Beach County Law Enforcement Agencies
FROM: Verdenia C. Baker
County Administrator *VC Baker*
RE: REENTRY ORDER

In order to reduce the vulnerability of the population in the affected area to damage, injury and loss of life or property resulting from the imminent threat of Hurricane Nicole, and in order to prepare and allow for prompt and efficient restoration of order, assessment and response to damage and injuries to persons and property, I directed that certain areas of Palm Beach County threatened by Hurricane Nicole evacuate effective 7:00am on Wednesday, November 9, 2022. Therefore, pursuant to Chapter 252, Florida Statutes, Op. Atty Gen 95-24, Executive Order No. 22-253, and Palm Beach County Article II, Section 9-35, effective immediately the evacuation order has been lifted.

c: Joseph Abruzzo
Clerk of the Circuit Court & Comptroller

Attachment: Evacuation order dated November 8, 2022

*"An Equal Opportunity
Affirmative Action Employer"*

Official Electronic Letterhead