

FLAGLER COUNTY EMERGENCY ORDER NO. 2019-01

AN ORDER MANDATING THE EVACUATION OF RESIDENTS FROM NURSING HOMES, ASSISTED LIVING FACILITIES, AND GROUP HOME FACILITIES, LOCATED IN EVACUATION ZONES A, B, AND F TO THEIR DESIGNATED EVACUATION LOCATION

WHEREAS, Flagler County is under a Federal, State and Local State of Emergency for Hurricane Dorian pursuant to Executive Orders of the Governor for the State of Florida (Numbers 19-189 and 19-190) and Flagler County Proclamation of Emergency dated August 28, 2019; and

WHEREAS, Flagler County's Proclamation, in accordance with Chapter 252, Florida Statutes, and Section 12-34 of the Flagler County Code of Ordinances, authorizes the County to take all necessary action and issue any necessary orders to protect human life and property; and

WHEREAS, such orders when filed with the Clerk of Court have the force of law, and all existing laws, ordinances, and rules which are in conflict are suspended to the extent of such conflict pursuant to Section 252.46(2), Florida Statutes; and

WHEREAS, a violation of a duly promulgated order is a second degree misdemeanor punishable by a fine of up to \$500.00 for each offense and by a term of imprisonment of up to sixty (60) days for each offense, in accordance with Section 252.50, Florida Statutes; and

WHEREAS, Hurricane Dorian is presently a Category 5 storm and has been characterized by the National Weather Service as a catastrophic storm with 185 MPH sustained winds with gusts exceeding 200MPH, accompanied by substantial rainfall and storm surge; and

WHEREAS, to prevent injury and loss of life, the Emergency Management Director through the power delegated to him under the Proclamation directs a mandatory evacuation of vulnerable populations under licensed care; and

WHEREAS, licensed care facilities have the obligation to evacuate their resident clients/patients promptly and safely in accordance with their emergency management plans upon notice of a mandatory evacuation from governmental authority.

NOW THEREFORE, it is hereby ordered:

Section 1. Nursing homes, assisted living facilities, and group home facilities located in evacuation zones A, B, and F, shall, beginning at 8:00 a.m. on September 2, 2019, evacuate all their clients/patients to their designated evacuation locations as specified in their emergency management plans filed with the State of Florida or other governmental regulatory or licensing authority.

Section 2. If the designated evacuation location is unavailable, the facility shall evacuate their resident clients/patients to an appropriate alternative site capable of housing the clients/patients safely and securely.

Section 3. This Emergency Order will take effect upon filing with the Clerk of Courts of Flagler County in accordance with Section 252.46(2), Florida Statutes, and shall remain effective until modified or terminated.

DONE AND ORDERED, this 1st day of September 2019.



Jonathan Lord, Emergency
Management Director

APPROVED AS TO FORM:



Al Hadeed, County Attorney