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RECORDED IN THE OFFICIAL RECORDS OF Tom Bexley, Clerk of the Circuit Court & Comptroller Flagler, FL

# FLAGLER COUNTY, FLORIDA
# DECLARATION OF A LOCAL STATE OF EMERGENCY
# RELATED TO A POTENTIAL FLOODING EVENT

**WHEREAS,** the National Weather Service has placed Flagler County under a Flood Watch due to rainfall that began on Monday, November 16th, and is expected to continue through Saturday, November 21st; and

**WHEREAS**, the National Weather Service expects that Flagler County will generally experience 4-6 inches of additional rain through Saturday, on top of the up to 2.5 inches that has already fallen; with a high-end potential of 8-12 inches of additional rain; and

**WHEREAS,** the St. Johns River, and its connected waterways are already experiencing flood impacts from the heavy rainfall event that occurred earlier this month in counties to our south; and

**WHEREAS,** the continued rainfall in Flagler County may impact our communities' safety and infrastructure, to include roadways, homes, and businesses; and

**WHEREAS,** Section 252.38(3), Florida Statutes, and Chapter 12, Flagler County Code, authorize Flagler County to declare a state of local emergency for durations of seven days and to extend its proclamation in seven-day intervals, during which time the County may waive the procedures and formalities otherwise required of political subdivisions by law; and

**NOW THEREFORE, BE IT DECLARED AS FOLLOWS:**

1. I, Kim Carney, Chair, Board of County Commissioners of Flagler County, Florida, in accordance with the powers vested in me pursuant to Chapter 252, Florida Statutes, and Section 12-34, Flagler County Code, do hereby proclaim and declare a State of Local Emergency in Flagler County, Florida, for seven (7) days. This Proclamation shall commence at 5:00 PM on November 18, 2026 and shall terminate automatically seven (7) days from this date unless terminated earlier or extended by act of the Chair in a document executed with the same formalities as this Proclamation.

2. Pursuant to Section 12-34(a)(2), Flagler County Code, this Declaration authorizes the County Administrator, or in their absence, the Deputy County Administrator, or in the absence of both, the Emergency Management Director, to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary, subject to the limitations of Section 252.33, Florida Statutes. All rules and orders promulgated hereunder shall be filed with the Clerk of the Court.

3. This Declaration further authorizes the County Administrator, or in their absence, the Deputy County Administrator, or in the absence of both, the Emergency Management Director, to utilize all lawful authority granted to Flagler County by the Flagler County Comprehensive Emergency Management Plan and by federal, state, or local emergency management laws, rules, regulations, orders, including but not limited to, Sections 252.38(3) and 252.46, Florida Statutes, and Chapter 12, Flagler County Code. Any such actions taken shall be reported to or reviewed by the Board of County Commissioners as is practical under the circumstances.

4. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 through 252.71, Florida Statutes, inclusive, or inconsistent with any rule or order specifically promulgated under this declaration shall be suspended during the period and to the extent that such conflict exists.

5. The County Administrator, or in their absence, the Deputy County Administrator, or in the absence of both, the Emergency Management Director, may enter into agreements as well as suspend, toll, or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates, and other approvals under the Flagler County Code, to the extent necessary to mitigate the effects of the emergency.

6. Pursuant to Section 252.38(3), Florida Statutes, the County hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law pertaining to:

    - Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
    - Entering into contracts subject to federal limits for contracts for time and materials,
    - Incurring obligations;
    - Employment of permanent and temporary workers;
    - Utilization of volunteer workers;
    - Rental of equipment;
    - Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
    - Appropriation and expenditure of public funds.

7. Any person violating any rule or order issued pursuant to this Declaration or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

8. The declared State of Emergency may be modified in whole or in part or may be terminated upon the joint recommendation of the County Administrator and the Emergency Management Director, by action of the Chair of the Board of County Commissioners, or if unavailable, according to the order of succession prescribed by Section 12-34, Flagler County Code, with ratification in any event by the Board of County Commissioners as soon as is practicable at a regular or special meeting. This Declaration shall remain in effect for no longer than seven (7) days unless terminated, modified earlier, or extended in accordance with law.

9. If any provision of this Declaration is invalidated by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions of this Declaration, which shall have the full force and effect of law.

**DONE AND ORDERED** in Flagler County, Florida this 18th day of November 2026.

**FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS**

Kim Carney, Chair

**CONCURRENCE:**

Adam Mengel
Interim County Administrator

Jonathan Lord
Emergency Management Director

Michael A. Rodríguez
County Attorney