



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

---

**File #:** 6781, **Version:** 1

---

### **Subject:**

Emergency Management Ordinance

### **Fiscal Impact:**

None

### **Dept/Office:**

Public Safety Group: Emergency Management

### **Requested Action:**

It is requested that the Board of County Commissioners hold a Public Hearing and consider adopting the establishment of an Emergency Management ordinance.

### **Summary Explanation and Background:**

At the April 23, 2024, Board of County Commissioners meeting, the Board approved legislative intent and permission to advertise the establishment of an Emergency Management ordinance.

The proposed ordinance enables the Board of County Commissioners to respond swiftly and efficiently to emergencies and codifies the following:

- Establishes a delegation of authority to declare a local state of emergency from the Board of County Commission to the Chair, and when the Chair is not available to the Vice-Chair, and if both the Chair and Vice Chair are not available, to the remaining commissioners in ascending order of districts.
- Establishes a delegation of authority to enact emergency protection measures to the Chair, and when the Chair is not available, to the Vice Chair, and when the Chair and Vice Chair are not available, to the next remaining available commissioner in ascending order by district, and if no commissioners are available, to the County Manager.
- Defines the role of emergency management and outlines emergency powers and decision-making process.
- Transfers the debris removal language from the Solid Waste ordinance to the Emergency Management ordinance, streamlining the federal assistance and reimbursement process.
- Allows for the waiving of specific zoning restrictions during disasters for residents eligible for federal or state disaster housing assistance.
- Retains the Board's authority to terminate a local state of emergency by a majority vote, if at any time the Board feels no hazard or emergency remains.

This ordinance was developed with and approved by the County Attorney's Office. It has met all legal advertising/noticing requirements.

### **Clerk to the Board Instructions:**

Upon approval by the Board, execution by the Chair, and attestation by the Clerk, file the ordinance with the Department of State as required by law within the 10-day deadline. Please return a copy of the executed ordinance with the Department of State's official acknowledgment to the County Attorney's Office.