



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 6746, **Version:** 1

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### **Subject:**

Board Approval: Legislative Intent and Permission to Advertise the Establishment of an Emergency Management Ordinance

### **Fiscal Impact:**

None

### **Dept/Office:**

Public Safety Group: Emergency Management

### **Requested Action:**

It is requested that the Board of County Commissioners authorize staff to advertise the Statement of Legislative Intent set forth below and direct staff to prepare an emergency management ordinance that ensures the County's ability to quickly respond to emergencies, codify necessary organizational flexibility, and streamline the process of receiving state and federal assistance.

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

Emergency Management ordinances are an increasingly best practice, with 67% of Florida counties having one; this figure rises to 75% amongst coastal counties. Notably, among counties with a population greater than 400,000, Brevard is the sole county without such an ordinance.

Historically, the Comprehensive Emergency Management Plan (CEMP) is sufficient to outline response and recovery efforts for emergencies. However, federal and state authorities increasingly prefer these core concepts to be outlined in an ordinance, especially for those areas where they directly interact with the County.

As emergencies evolve to be more complex, the need for swift decision-making and action becomes critical. This drives the need for the County's processes to be clear, concise, and direct. Establishing an Emergency Management ordinance will provide required clarity, timeliness, and codify a framework for an efficient and effective response and recovery.

Statement of Legislative Intent: Staff will prepare an ordinance to accomplish the following:

- Codify 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, as well as codify 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 County Manager, ensuring that the County can swiftly respond to all types of emergencies. Given the

unpredictable nature of disasters and the urgency of timely action, this delegation is critical to quickly deliver assistance to our residents and visitors. Furthermore, the Board retains the ability to rescind this delegation at any time with a majority vote.

- Define the role of emergency management and outline emergency powers and decision-making process. This clarity is essential to ensure effective coordination and prompt action during emergencies.
- Transfer the debris removal language from the Solid Waste ordinance to the Emergency Management ordinance. This adjustment will clarify the connection between the necessity for debris removal on both public and private roadways with the threat it poses to public health and safety. The justification will streamline federal assistance and reimbursement process.
- Allow for the waiving of specific zoning restrictions during disasters for residents eligible for federal or state disaster housing assistance. This would allow for the placement of a travel trailer, camper, or similar on the resident's property to serve as temporary housing while the owner repairs their property. Should it be determined at any point that the resident no longer meets eligibility criteria or fails to comply with requirements of the temporary disaster housing assistance program, the waiver of zoning restrictions would be rescinded, and standard requirements would immediately apply.

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

None