



Emergency Operations Plan (EOP)

Hurricane Plan

September 2024

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Purpose of Plan

- To guide the City employees before, during, and after a tropical storm/hurricane regarding their departmental duties.
- To sets guidelines to mitigate against, prepare for, respond to, and recover from the effects of a storm event in the City of Holmes Beach.
- To provide a framework to help minimize the loss of lives, prevent injury, protect property, safeguard the environment and preserve the local economy in the event of a disaster.

Scope

This Plan applies to all City departments and divisions.

Design

The City maintains a presence at the Manatee County Emergency Operations Center (EOC) during storm events. Manatee County provides backup dispatch and 911 service, and staging areas for the City's employees and equipment. The City maintains its own EOC prior to and after the storm. The City is a wholesale water and sewer customer of Manatee County, so utilities fall under the County's responsibility. Re-entry to the City after storm events is dependent on the County's re-entry policies in conjunction with the City of Holmes Beach First in Team Operating Guide.

The City is a member of the Barrier Island Coalition, composed of the City of Anna Maria, City of Bradenton Beach, and the Town of Longboat Key (N portion of key inside Manatee County). The City strives to coordinate storm activities with these barrier island communities through the Manatee County EOC through its EOC at City Hall and its Alternative EOC (AEOC), which is located at the State College of Florida (SCF), 5840 26th Street West, Bradenton, FL. This campus is located within the Zone D Hurricane Evacuation Area. A backup AEOC is the West Manatee Fire Rescue District Administration Building located at 701 63rd St. W., Bradenton, FL 34209. This was known years ago as the "BIEOC" or "Island EOC" and can include all island cities of Bradenton Beach, Holmes Beach, Anna Maria, and the Town of Longboat Key.

See the City's COOP plan for more information on the AEOC.

This Plan has three principal components:

1. Basic Plan. This provides an overview of the emergency operations organization and policies. It describes the overall approach to disaster operations and responsibilities for emergency planning and operations.
2. Departmental Plans for a storm event. These plans were prepared by each Department and are included in the City's Hurricane plan. It is important that the

individual plans be updated annually, as circumstances and employees change, and that areas of interaction, be coordinated between Departments.

3. Matrix based on storm category/strength, for departmental activities and responsibilities for Pre-Season Hurricane Preparation and specific storm events.

All City departments have disaster-related responsibilities. Assignments are based upon the organization's function, resources and expertise. In most cases, the organization's day-to-day tasks correlate to the assigned disaster responsibilities. Consequently, the knowledge and skills necessary to respond effectively and efficiently can be immediately translated from daily business to an emergency.

Within the matrices, primary departments are assisted by support departments that contribute personnel, resources, and expertise to accomplish the functional tasks. Situations may arise when unanticipated events or special needs are identified. In such cases, additional responsibilities may be assigned to any department with the appropriate resources and capabilities to assist with the situation.

General Information

A. The City's Plan and the Departmental Plans were prepared to follow local, state and federal authorities.

- Local-Code of Ordinances, City of Holmes Beach
- State-Florida Statutes
- Federal

B. Hurricane/Storm Emergency Limitations

It should be recognized that the plan serves only as a guideline, as the scope, magnitude, and duration of the storm event will guide the outcome of the City's response to a storm event.

C. Suspension of Routine Activities and Availability of Employees

Day-to-day functions that do not contribute directly to the hurricane response may be suspended for the duration of the emergency. Efforts normally required for routine activities may be redirected to accomplish emergency tasks. See City Continuity of Operations Plan (COOP) for details.

D. Confirming Safety of Employee Households

City employees will not be at peak efficiency or effectiveness during a disaster if the status of their personal household is unknown or in doubt. All City Employees should fill out a Holmes Beach Police Department Employee Hurricane Preparedness Plan and turn in to their Department Head. Employees assigned disaster response duties should prepare prior to and decide before the event for their families and property, as every

City employee will be assigned pre- and post-storm event duties. The City holds an annual employee meeting to review personal hurricane readiness, as well as to review with each employee their pre- and post-storm role. The Police Department currently uses the *Holmes Beach Police Department Employee Hurricane Preparedness Plan* for its employees on personal household readiness due to its unique situation as first responders for the City. See City Continuity of Operations Plan (COOP) for details.

E. Resident Preparedness/Public Information

The City will make every effort to provide information to assist its residents, pre- and post-storm event on its website (www.holmesbeachfl.org) and HBPD Facebook page during and after the storm. The website contains emergency information year-round, and it will be updated by the City staff for each storm event with specific information. All information disseminated on these locations will be approved by the Mayor or the Chief of Police.

Links from the City website include:

- Police Department Hurricane links
- Manatee County Government
- FEMA
- Emergency Preparedness Guide for Seniors and Caretakers

General Website Hurricane Information on the City's website includes

https://www.holmesbeachfl.org/departments/police_department/hurricane_preparedness.php :

- Discussions on the type of hazards that could affect the residents
- Evacuation routes and shelters
- Disaster supplies kit content recommendations
- Documents to safeguard before a storm
- Ways to lessen storm damage to your property
- Consumer protection for after the storm event
- Steps to take prior to and post storm.

Description of the City

A. Population

The City has a current population of approximately 3,010 (2020 US Census). The City is located on a barrier island, situated on Florida's Western Gulf Coast, within Manatee County which has a population of 399,700 (2020 US Census). The City is located 40-miles south of the Tampa Bay region, a major metropolitan area with a population of over 2 million. The Sarasota (SRQ) and Tampa International Airports (TIA), as well as several smaller airports, which range from 20 miles to 50 miles from the City, provide air transportation. The Special Needs population varies but as of August 2022, there are 9

individuals registered with Manatee County Emergency Management that live within Holmes Beach.

B. Evacuation Routes

The City has one primary evacuation route from the island, which is SR 64 or the Anna Maria Island Bridge. This is the evacuation route to Interstate 75 for the residents of Holmes Beach, as the City is a Level an Evacuation Zone. The Cortez Bridge can be utilized for residents of the South end of the City. See **Traffic Control** in the CEMP Basic Plan for information on FDOT and bridge closures.

C. Housing

The entire City is within the AE and V FEMA Flood Zones and within Zone A for Hurricane Evacuation. According to the 2020 US Census, there are over 4,163 housing units. The City maintains a rental unit database. According to the February 2023 data, there are 1,439 units that are rentals. Approximately 65% of these units occupied year-round. The other 35% of the units are for seasonal, recreational, and occasional use. Of those rentals, there are 3,702 total bedrooms, the average being 2.6 bedrooms per dwelling unit. These units include both single family and multi family dwelling units.

D. Impact of Tourist Season / Seasonal Residents

The City's busiest time is between November and April annually; therefore, the annual June 1st through November 30th Hurricane Season impacts a reduced population. While this lowers the number of individuals that will need to evacuate, it does yield an increased number of vacant units, with absentee owners, which are often not hurricane ready.

The number of seasonal residents in Holmes Beach can be approximately up to 7,182 visitors a year with the majority staying in a hotel/motel. Transient populations including travelers is significant in Holmes Beach. There are approximately 223 hotel/motel beds available in the city. Hotel rooms in Manatee County have increased from 7,453 in 2015 to 10,400 in 2022.

E. Political Considerations

The City has a Strong Mayor form of government with the Mayor serving as its Chief Operating Officer, and five City Commission members. City departments are responsible for implementing the myriad of service functions.

Plan Assumptions

A major storm event can occur at any time during the hurricane season. The events may differ greatly in type, size, scope, onset, impact, and duration. Proper implementation of this Plan will aid in reducing loss of life and property. Further, it

should assist in expediting recovery and restoration. Initial information may be scarce, confusing, or inaccurate, but the City will work to provide accurate information to its employees and residents. Initial recovery response will be to take those actions necessary to prevent injury/incident and save lives. City resources will be committed to meet disaster-related needs. Response systems may be overwhelmed for several days. County, state, and federal assistance will be available upon request by the City.

Concept of Operations

A. General

The Mayor, or designee, will monitor developing hurricane situations and activate the Hurricane Plan when necessary. The Mayor may designate the Holmes Beach Emergency Management Director, which is the Chief of Police to serve in this capacity. The Mayor, or designee, will activate procedures to notify key personnel and implement this Plan. Activation of the Plan serves as notice to City departments and divisions as well as cooperating agencies to shift from normal operations to emergency operations. Based upon the complexity or severity of the event, its duration or resource needs, emergency status will be declared. If at any point during a developing emergency, City officials determine the situation requires resources beyond local ability to provide, assistance may be requested from: Manatee County, and the Florida State Emergency Management Agency. The Mayor, or designee, will serve as liaison with the counties and the state, as well as FEMA for coordinating state and federal assistance. Regardless of the level of assistance provided by outside entities, overall direction and control remains the responsibility of the Mayor.

B. Coordination

1. The ultimate responsibility for coordination of disaster operations rests with the Mayor.
2. Under the direction of the Mayor, the Police Chief will serve as the Holmes Beach Emergency Operations Director, who is responsible for the organization, administration and operation of the emergency management program.
3. Overall coordination will be established through the Manatee County EOC.
4. The Police Chief is responsible for assigning Holmes Beach personnel to the EOC.
5. The principles of the National Incident Management System ("NIMS") will be used to guide activities by the City. The City will organize using unified command principles in support of Incident Commanders and Field Supervisors.

Hurricane/Emergency Plan Activation Levels and Staffing

The following references the Saffir/Simpson Hurricane Scale used by the National Hurricane Center to provide a continuing assessment of the potential for wind damage as follows:

<u>Intensity</u>	<u>Wind Speed</u>
Tropical Storm	39-73 mph
Category 1	74-95 mph
Category 2	96-110 mph
Category 3	111-129 mph
Category 4	130-156 mph
Category 5	157+ mph

While storm surge was previously tied to the category of hurricane, the following anticipated numbers are broad estimates. As history has taught, the storm surge of a hurricane can be greater or less than what was typically tied to the category of storm due to the speed of movement of the hurricane, tides, depth of water, and other factors. Storm surge estimates provided by the NWS should be utilized for each storm for making related plans.

The City has a Continuity of Operations Plan (COOP) with specific details on staffing activities pre- and post-storm. The following is a summary.

A. Category 1 and Tropical Storms (Light Impact to the Town)

Category 1 on the Saffir/Simpson Hurricane Scale (74-95 mph winds) is defined as some expected damage to building structures, with damage primarily to unanchored mobile homes, shrubbery, and trees. Some coastal flooding and pier damage; as a storm surge of 4-5 feet is anticipated. Category 1 would include a Tropical Storm Watch as well as a Tropical Storm Warning which poses no immediate threat to life or property but could escalate, necessitating that it be monitored, or one requiring minimal coordination.

The City will operate under the guidance of the Mayor and may not involve a move off the island of the City's staff and equipment. The City will be present at the County EOC, but it could maintain staff at the City Hall Complex. City facilities should be habitable

during and after storm events and the response team should be able to access the City, with minor assistance from outside vendors.

B. Category 2: (Heavy Impact to the Town)

Category 2 on the Saffir/Simpson Hurricane Scale (96 to 110 mph winds). Some roofing material, door and window damage should be anticipated. Considerable damage to vegetation should be anticipated. Flooding would damage piers and small craft in unprotected moorings, and break their moorings, as a storm surge of 6-8 feet is anticipated. Gulf Drive would be impassible in several areas and may see considerable undermining. Considerable flooding would be anticipated on the evacuation routes from the City. Some beach erosion will occur.

This level of event will require coordination of resources or technical assistance of multiple organizations. It will involve a high degree of media and public interest. The City will operate under the guidance of the Mayor or designee. The Police Department will have staff present at the County EOC. City facilities will have damage and the response team will likely require the assistance of the City's debris removal contractor or the Cities First-In Team for access in cooperation with the Manatee Counties First-In Team (see City's Disaster Debris Management Plan for specifics).

C. Category 3 and above: (Severe Impact to the City)

This includes Category 3, 4, and 5 on the Saffir/Simpson Hurricane Scale (111mph to 155mph+ winds). Major structural damage should be anticipated on almost all residential, commercial structures, and City facilities. Certain structures and marine facilities will be destroyed on the island. Storm surges would be anticipated from 9 to 24 feet, as the storm strength increases from a Category 3 to 5, thus major flooding and structural damage will occur. Beach erosion will be a major concern, as is Gulf Drive, which will be heavily damaged and likely impassible.

This type of event will require significant commitment and coordination of resources or technical assistance of multiple organizations. The City staff and moveable, large and specialty equipment will be relocated off the island to the staging locations in Manatee County. The Police Department will have an employee in the County EOC, and the City should be prepared to conduct business from an alternate location (see City COOP plan). After a Category 3 to 5 event, if road access is totally restricted, the response team may utilize marine vessels.

A Hurricane Warning would have been issued for a Level 3 event, and the island evacuated of its' residents. It is estimated that as much as 10% of the population may ignore the evacuation order. The City does not intend to forcefully remove residents, but it will continue its public information efforts to make the residents realize the impact of a Category 3 to 5 storm surge. Residents will be reminded that City First Responders, (Police) Fire and EMS will not be available to assist them during the storm event.

City Departmental Assignments / City Management Team

- A. Mayor: Person with overall responsibility for coordination of response and recovery operations.
- B. City Management Team: A core group of individuals comprised of the Chief of Police (Acts as Emergency Management Director during Pre- and Emergency Response phases of emergency), City Treasurer, City Clerk, and the Superintendent of Public Works.
- C. Department Heads will be expected to provide the following support:
 - 1. Appoint qualified alternates for emergency work.
 - 2. Develop and implement organizational response and recovery plans and procedures in support of emergency operations.
 - 3. Establish procedures to provide for staff members to be available on a 24-hour basis for emergency assignment.
 - 4. Maintain a current inventory of key organizational personnel, facilities, and equipment.
 - 5. Identify sources of additional personnel, facilities, and equipment necessary to augment disaster operations. If appropriate, negotiate, coordinate, and prepare mutual aid agreements and/or contingency contracts.
 - 6. Develop and implement policies and procedures to inform and keep departmental personnel aware of their disaster roles and responsibilities.
 - 7. Make staff available for training.
 - 8. Establish procedures for assessing damage to departmental facilities and injury to personnel.
 - 9. Provide information to the EOC in a timely manner.
 - 10. Carry out to the best of their ability response and recovery.
 - 11. Establish policy and procedures for the identification and preservation of essential records to facilitate the reestablishment of normal and following a disaster operation.

This is a summary. The City has a Continuity of Operations Plan (COOP) with specific details and checklists for staff pre- and post-storm.

General Departmental Function

The nature of hurricanes often requires that such operations be carried out within compressed time frames using non-routine procedures. This in no way lessens the requirement for sound and responsible financial management and accountability.

Departments will:

- A. Use available resources and personnel as reasonable to cope with storm event.
- B. Maintain sight of the purposes identified in this Plan when taking actions and incurring costs.

- C. Establish pre-storm procedures to rapidly obtain resources required during a disaster situation.
- D. Purchase, storage, maintenance, replenishment and replacement of equipment and supplies used in a storm event.
- E. City departments with emergency responsibilities will be familiar with the procedures in place in both Finance and Purchasing for emergency purchases and contracts. Normal City purchasing requirements may be waived in a declared emergency. Chapter 18 of the City of Holmes Beach Code of Ordinances allows for special procedures during a state of emergency within the City and the cover sheet for that ordinance is made a part of this plan.
- F. Have assigned person record and document all personnel, vehicles, equipment, repairs, and fuel for FEMA documentation from each department.

Pre-Storm Occurrences

As noted earlier, with a Category 3 and up storm event, and even a Category 2 Storm event, the City is prepared to evacuate its personnel, most of its vehicles as well as the public safety equipment, and specialized public work equipment, such as large mobile generators. Locations have been worked out with Manatee County and mutual aid partners for storage of the equipment and staging of the City employees.

When the evacuation order is issued, only Holmes Beach residents and business employees with proper identification (Anna Maria Island Re-entry tag) will be permitted to return to the city to evacuate family members and secure property. Those citizens that cannot verify residency or employment will be turned around at the Palma Sola Causeway. All the City's employees receive re-entry authorization before storm events. Local action for evacuation and re-entry is under the control of the Holmes Beach Police Department. Identification passes are provided to residents when they evacuate to assist with re-entry post-event. Priority is given to residents, then business owners then boat owners. The City coordinates these re-entry efforts with the Manatee EOC.

Re-entry for City business owners is handled in accordance with the re-entry plan established by the City of Holmes Beach and Manatee County. It is anticipated that even with the pre-authorization from the City, may be 2-3 business days depending on damage in a Category 1 or 2 storm event (more for a Category 3 - 5 storm event) before the business owners could access their property. Individuals should stay tuned to the City's website, the Holmes Beach Police Department's Facebook page and local media for re-entry timeframes.

It is the City's desire to facilitate re-entry as quickly as possible for City business and residents; however, it will depend upon the Level of Storm event, and the cleanup process, as life safety is the City's paramount concern for returning residents.

City employees, not assigned to either the EOC or other County facilities during the storm event, should know their post-storm event role and be prepared to report to their duty station. Each City employee, because of a limited number of staffing resources, is "essential personnel." The response team, whose primary duty is to return to Holmes Beach to identify an area for basic rescue operations, will be staged at a location to be determined (inland lodging or mutual aid partner facility), and will consist of members of the Police, and Public Works Departments.

During a hurricane, City Commission members and key staff members will have the option of being housed at an inland lodging or mutual aid partner facility. Any City Commission member who wishes to seek shelter with City Staff, should contact the City Treasurer at least 48 hours prior to projected landfall and make his or her intention known and the number of people that will need accommodations. Commissioners' family members may be provided accommodations but should understand that it may become necessary to assist staff members with needed tasks and space may be limited at these facilities.

Post-Storm Response

As noted earlier, during a Category 2 - 5 storm events with an evacuation, the last City employees off the island will be public safety personnel. City personnel will remain off the island until EOC has given the "all clear" for the City's recovery efforts to begin. At that point, the City proposes the following order of events:

1. Fly-over: The City may utilize a helicopter in association with the County to do a "windshield" assessment and reconnaissance of the City. The helicopter can be used to transport public safety personnel, if needed, to assist residents in immediate danger who remained on the island if no bridge is passable. Drones may also be utilized. City field is the primary designated emergency helicopter landing zone (see map in appendix).
2. Physical access to the City: Entry into the City will follow assessment by the First-In Teams and Chief of Police. The First-In Teams Standard Operating Guide in Appendix H provides operating guidance and First-In route maps. The City has contractors in place for debris removal. The current list of this providers is provided in the City Disaster Debris Management Plan (DDMP). See the DDMP for the Phase I Emergency Response Phase.
3. Marine Access to the Town: The Police Department has a marine unit available to access the island. This would be utilized if debris cannot be removed from the access roads in a timely manner. This unit will be removed from the island, along with other public safety equipment. The City has a small public boat ramp north of City Hall (63rd Street Boat Ramp) and Kingfish Boat Ramp, which is more suitable for larger equipment (see map in appendix).

There are four primary missions for City personnel, on initial re-entry:

- Medical support for City employees, working on the island, after the storm event, and injured residents who did not evacuate. The Fire Department will serve this role, with backup from mutual aid.
- Security and Access for the City. The Police Department is the lead provider with support of public works to be the First in Team to assess roadways, safety hazards and set up the City Emergency Services for the City of Holmes Beach.
- Damage Assessment and Rebuilding Efforts. The Building Department has adopted the state plan to streamline the permitting process for repair and replacement of structures after the storm. That procedure is made a part of this Plan.
- Public Works employees will be responsible for securing City facilities. They will assist with general cleanup.

If a debris generating event occurs, the City will activate this DDMP, coordinate and track resources (public and private), begin documenting costs, and coordinate with the First-In Teams to establish priorities regarding allocation and use of available resources.

DDMP Phase I Emergency Response Phase includes debris being moved or pushed off key roads to the side but within existing rights-of-way, opening travel lanes in order to provide access for emergency vehicles and resources into the impacted area. These are sometimes called “**Cut and Toss**” operations. The facilities in the Critical Facility list will also be addressed in Phase I. In general, such Phase I efforts are focused upon:

- Major Thoroughfares within the City
- City Hall – Police and Emergency Communications Center
- Fire and EMS Station - West Manatee Fire Rescue
- Public and Private Utilities (Manatee County operates potable water and sanitary sewer)

The primary logistical staging area is City Park (see map in appendix). The City has limited open space areas. The large parking lot of St. Bernard's Catholic Church, located at 248 South Harbor Drive, could be cleared for utilization as the City Point of Distribution (POD) (prior to return of private property owners and being authorized). City staff and volunteers will staff the distribution center, as liaison to the County EOC, which will authorize distribution center supplies, with state and federal relief operations.

DDMP Phase II Recovery Phase – Debris Removal begins when the City or contractor begins removing debris from the rights-of-ways. The DDMP provides specific information regarding debris collection.

Temporary Debris Management Sites (TDMS) may be established if the volume of the debris is extensive. These are usually run by debris contractors with debris monitors hired by the City and require advance permitting. Debris removal and demolition on

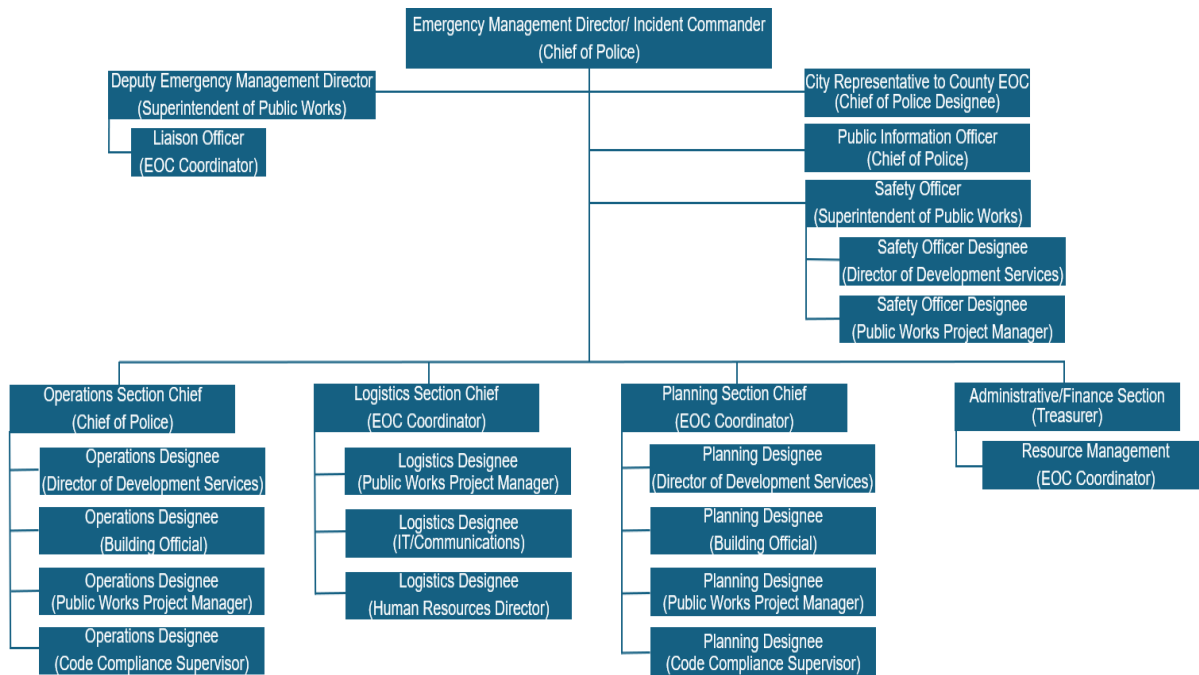
private property may occur in limited circumstances. Reimbursement for emergency response activities requires following adopted plans and any updated requirements. See DDMP for specifics on these topics.

Departmental Plans

The next section of the Plan contains specific department plans, pre-storm checklists and storm equipment inventories.

The Departments have provided specific information as to their role in pre-storm preparation, as well as post-storm recovery for each level of storm event. These individual plans are to be updated annually.

The following graphic is the organization during an activated EOC. The Chief of Police is the Emergency Management Director. The role of the Police Chief transitions during the recovery phase to the Public Works Director for Recovery operations.



City of Holmes Beach Disaster Organization

A. Federal:

1. Federal agencies with a disaster preparedness responsibility are contacted in accord with the Florida Comprehensive Emergency Management Plan.
2. All requests for federal assistance under any of the public laws relating to disaster operation must be forwarded through the State Division of Emergency Management.

B. State:

1. The State Director of the Division of Emergency Management is the State Coordinator of all emergency government operations in both wartime and natural disasters, and handles assistance programs within the State, linked with emergency government operations.
2. State agencies with emergency government functions are listed in the Florida Comprehensive Emergency Management Plan. All requests for State assistance must be forwarded through the County EOC.

C. County:

1. The Manatee County Emergency Operations Workgroup (MEOW), formerly known as the County's Disaster Preparedness Committee, includes all the operative public and semi-public agencies of the County. Each agency is assigned by the County Commission to such action as lies within its experience for which it is best trained.
2. The County Commission is the source of authority and instructions during emergency conditions.
3. Under emergency conditions, this authority is exercised through the Manatee County EOC.
4. The City Commission will cooperate with the County Plan except in those conditions that prevent the City from availing itself of County assistance.

City Emergency Center Operation

Level Green: Normal everyday operations (State & County this is Level 3 - Monitoring)

Level White: State Level 1 (Awareness) A period of time approximately 72 hours prior to predicted landfall, lasting for approximately 12 hours of assessing and monitoring. Appropriate agencies to be made aware of the situation. (Tropical storm threatening U.S.). (State & County this is Level 2 – Partial Activation)

Level Blue: State Level 2 (Standby) A period of time approximately 60 hours prior to landfall, lasting for approximately 12 hours of accelerated preparedness actions for emergency and vital services. (Partial EOC activation, Tropical storm formation threatening U.S.). (State & County this is Level 2 – Partial Activation)

Level Yellow: State Level 3 (Decision / Preparedness) A period of time approximately 48 hours prior to predicted landfall, lasting for approximately 12 hours. The decision on when to evacuate should be made early on in this level and public notification and request for early evacuation be made. Re-analysis of all factors should be made and preparations for placing emergency crews and resources during this time. (Full EOC activation. Tropical storm threatening Manatee County). (State & County this is Level 1 – Full Activation)

Level Red: State Level 4 (Evacuation) A period of time approximately 24-36 hours prior to predicted landfall when Manatee County officials announce the official evacuation

process is complete or until sustained winds reach 39 mph (State & County this is Level 1 – Full Activation).

Evacuation: A period of time beginning immediately after the cessation of sustained 40 mph winds, lasting from a few days to several weeks, whereupon Manatee County officials initially assess, evaluate and prioritize the damage situation (State & County this is Level 1 – Full Activation).

Appendices

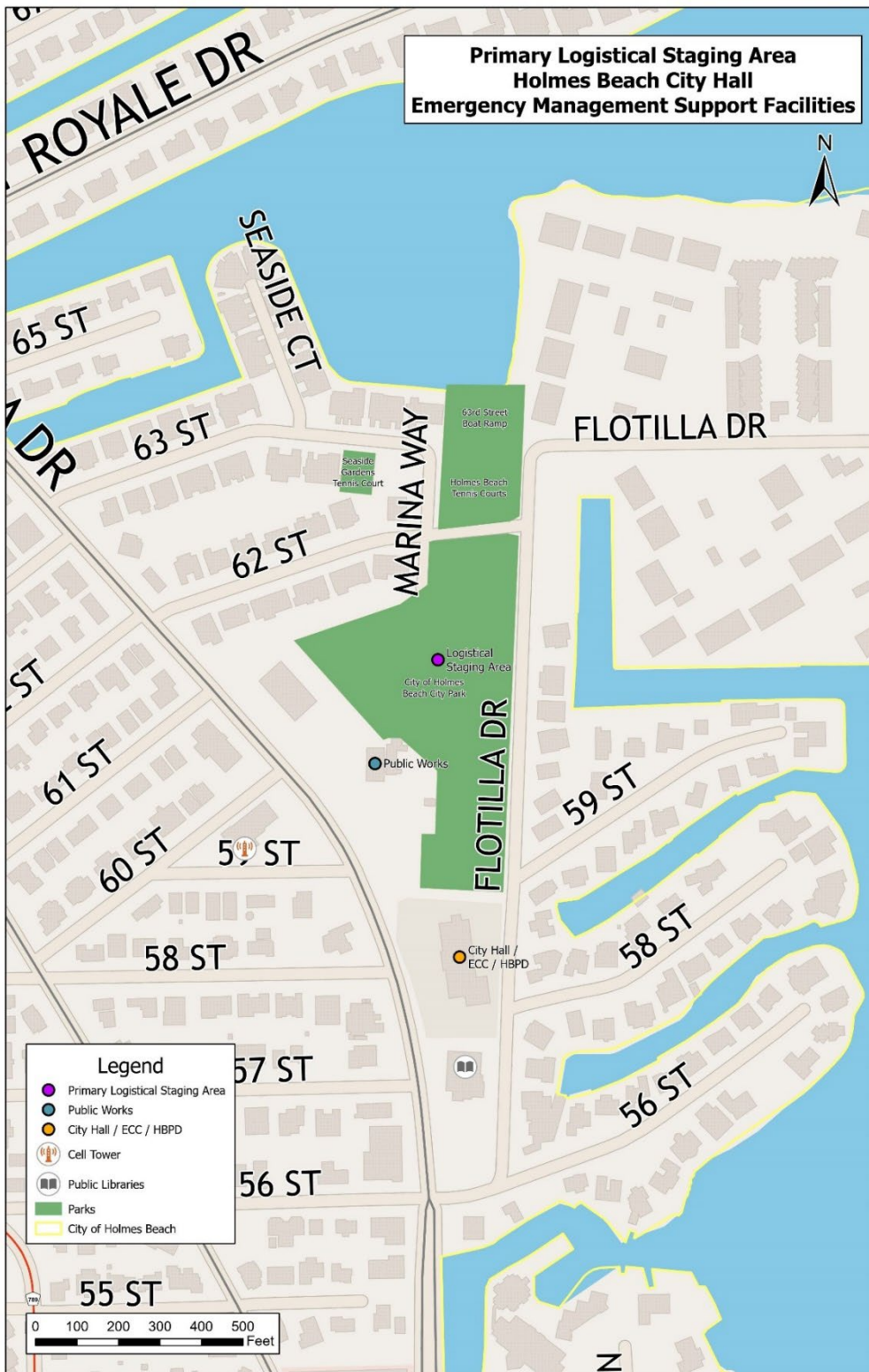
Appendix A – Map of City and Critical Service and Infrastructure



Appendix B – Map of Primary Emergency Helicopter Landing Zones



Appendix C – Map of Primary Logistical Staging Area



Appendix D – Resolution 18-07 Adopting FDEM Statewide Mutual Aid Agreement (SMAA)

**CITY OF HOLMES BEACH, FLORIDA,
RESOLUTION NO. 18-07**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLMES BEACH, FLORIDA, ADOPTING THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT STATEWIDE MUTUAL AID AGREEMENT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State of Florida Emergency Management Act, Chapter 252, authorizes the State and its political subdivisions to provide emergency aid and assistance in the event of a disaster or emergency; and

WHEREAS, the statutes also authorize the State to coordinate the provision of any equipment, services, or facilities owned or organized by the State or its political subdivisions for use in the affected area upon the request of the duly constituted authority of the area; and

WHEREAS, this Resolution authorizes the request, provision, and receipt of interjurisdictional mutual assistance in accordance with the Emergency Management Act, Chapter 252, among political subdivisions within the State; and

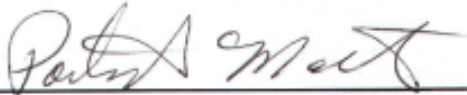
WHEREAS, the City of Holmes Beach has determined that it is in the best interest of its residents and visitors to enter into the Statewide Mutual Aid Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Holmes Beach, Florida, as follows:

Section 1. The Statewide Mutual Aid Agreement as revised on February 26, 2018, which is attached as Exhibit A and is incorporated by reference, is adopted by the City of Holmes Beach and in accordance with the City's charter, the Mayor is authorized to execute said agreement.

Section 2. Effective Date. The Resolution shall become effective immediately upon adoption.


PASSED AND DULY ADOPTED, WITH A QUORUM PRESENT AND VOTING
THIS 23rd day of July, 2018, by the City Commission of the City of
Holmes Beach, Florida.



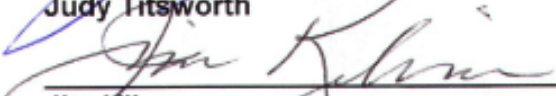
Patrick Morton



Carol Soustek



Judy Titsworth



Jim Kihm



Rick Hurst



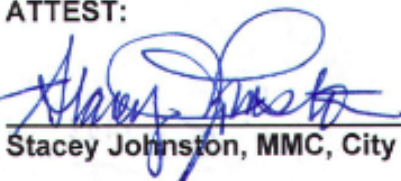
Bob Johnson, Mayor

STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT

By: _____
Director


Date: _____

ATTEST:



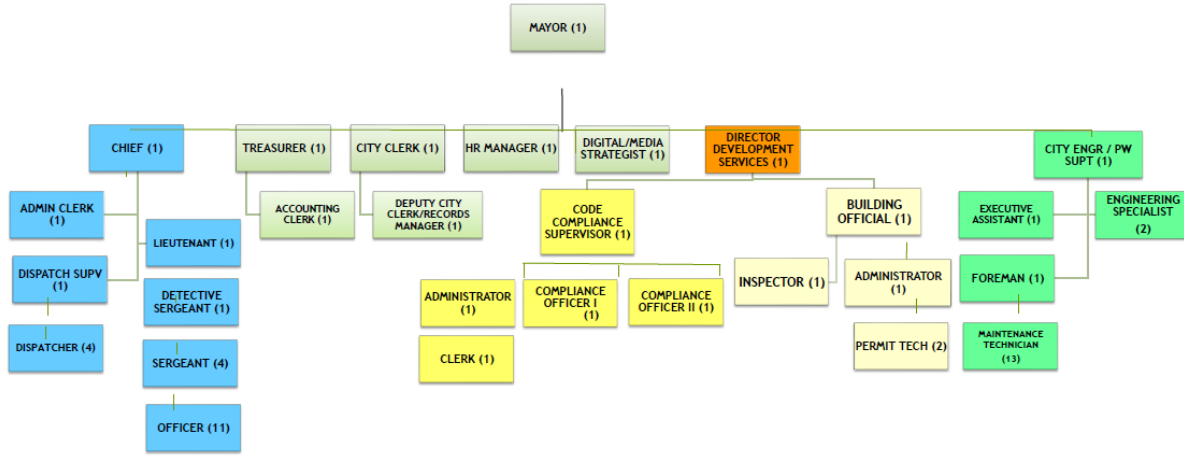
Stacey Johnston, MMC, City Clerk

Approved as to Form:



Patricia A. Petruff, City Attorney

Appendix E – City of Holmes Beach Flow Chart



Appendix F - City Ordinances Chapter 18 Civil Emergencies

Chapter 18 CIVIL EMERGENCIES

ARTICLE I. IN GENERAL

Sec. 18-1. Mayor authorized to declare state of emergency.

The mayor is hereby designated the city official who shall be empowered to declare that a state of emergency exists in the city and shall assume all the powers provided in F.S. § 870.041 et seq.

(Code 1978, § 2-3)

State law reference(s)—Designation of official to declare state of emergency, F.S. § 870.042.

Sec. 18-2. Purpose.

It is the intent of the city commission through this ordinance to:

- (a) Authorize, in advance of a disaster, the establishment and maintenance of an ongoing recovery management organization within the city to plan, prepare for, direct, and coordinate orderly and expeditious post-disaster recovery;
- (b) Direct, in advance of a disaster, the pre-event preparation of a recovery plan for short-term and long-term post-disaster recovery, for adoption by the city commission, and periodic amendment, as necessary;
- (c) Establish, in advance of a disaster, powers to be implemented upon declaration of a local emergency by which the mayor and city staff including the building, planning, public works, and other city departments can take expeditious action to reasonably assure safe and healthy post-disaster recovery;
- (d) Identify methods by which the city may take cooperative action with other governmental entities to facilitate recovery; and
- (e) Specify means by which the city may consult with and assist businesses, citizens, and community organizations during the planning and implementation of recovery procedures.

(Ord. No. 22-20 , § 2, 9-15-22)

Sec. 18-3. Definitions.

The following words, terms, and phrases, when used in this ordinance have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Development moratorium. A temporary hold, for a defined period of time, on the issuance of building permits, approval of land-use applications, and other permits and entitlements related to the use, development, and occupancy of private property, in the interests of public health, safety, and welfare, and the protection of life and property.

Director. The director of the recovery management organization or an authorized representative.

Disaster. A locally declared emergency also proclaimed as a state of emergency by the Governor of the State of Florida and declared a disaster by the President of the United States.

Emergency. A local emergency declared by the Mayor for a specific disaster event that has not been terminated.

Flood insurance rate map ("FIRM"). An official map of a community on which the Federal Insurance Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a digital flood insurance rate map ("DFIRM").

Hazard mitigation grant program ("HMGP"). A program for assistance to federal, state, and local agencies whereby a grant is provided by the Federal Emergency Management Agency ("FEMA") as an incentive for implementing mutually desired mitigation programs, as authorized by the Stafford Act and related federal plans, policies, and regulations.

Historic structure. Any structure included on the national, state, or municipal register of historic places as well as structures having historic significance within a recognized historic district.

Individual assistance program. A program for providing small grants to individuals and households affected by a disaster to offset loss of equipment, damage to homes, or the cost of relocation to another home, as authorized under the Stafford Act and related federal regulations.

In-Kind. A structure, the same as the prior structure in size, footprint, height, shape, type of construction, number of units, general location, and appearance.

Interim recovery strategy. A post-disaster strategic program identifying major recovery initiatives and critical action priorities, either included in the Recovery Plan or necessitated by certain post-disaster conditions.

Local mitigation strategy ("LMS"). A plan prepared for the Manatee County Board of Commissioners and the city of Holmes Beach Board of Commissioners for adoption and FEMA approval that, among other things, assesses the type, location, and extent of natural hazards affecting the city; describes vulnerability of people, structures, and infrastructure facilities to such hazards; estimates potential losses; and includes a mitigation strategy that provides the city's blueprint for reducing identified potential losses.

Public assistance program. A program for providing reimbursement to federal, state, and local agencies and non-profit organizations for repair and replacement of facilities lost or damaged in a disaster, as authorized under the Stafford Act and related federal plans, policies, and regulations.

Recovery. Restoring housing, transportation, public services, and economic activity to levels equal to, or better than, their pre-disaster states through a series of short-term, intermediate, and long-term strategies and actions.

Recovery management organization. An interdepartmental organization that coordinates city staff actions in planning and implementing disaster recovery and reconstruction functions.

Recovery plan. A pre- or post-disaster plan for recovery comprising policies, plans, implementation actions, and designated responsibilities related to expeditious and orderly long-term hazard mitigation, post-disaster recovery, and redevelopment.

Redevelopment. Rebuilding or replacement of facilities and structures damaged or destroyed in a disaster, construction of large-scale public or private infrastructure, addition of community improvements, and restoration strategies for a healthy economy.

Stafford Act. The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, as amended).

(Ord. No. 22-20 , § 2, 9-15-22)

Sec. 18-4. Recovery management organization.

There is hereby created the recovery management organization for the purpose of planning, organizing, coordinating, and implementing pre-event and post-disaster recovery actions.

- (a) The recovery management organization has all powers necessary to carry out the purposes, provisions, and procedures of this ordinance.
- (b) The recovery management organization is comprised of the following officers and members:
 - (1) The mayor is director;
 - (2) The superintendent of public works is deputy director and acts as director in the absence of the mayor;
 - (3) The city attorney is legal adviser;
 - (4) Other members may include the building official, chief of police, city clerk, city planner, city treasurer, code compliance supervisor, human resources analyst, and other departmental representatives deemed necessary by the director for effective operations; and
 - (5) The Chief of the West Manatee Fire Rescue District is an ex officio member of the recovery management organization.
- (c) The recovery management organization will coordinate its operations with the Manatee County Public Safety Department.
- (d) The director will oversee recovery management organization operations and will call meetings as needed. After a declaration of an emergency, and for the duration of the

emergency period, the recovery management organization will meet daily or as frequently as the director determines.

(e) In the absence of the director, the deputy director is acting director and is empowered to carry out the duties and responsibilities of the director. The director will name a succession of department managers to carry on the duties of the director and deputy director, and to serve as acting director in the event of the unavailability of the director and deputy director.

(f) The recovery management organization may create such standing or ad hoc committees as determined necessary by the director.

(Ord. No. 22-20 , § 2, 9-15-22)

Sec. 18-5. Recovery plan.

The recovery management organization will prepare a recovery plan addressing pre-event and post-disaster recovery policies, strategies, and actions; if possible, the recovery plan will be adopted by the city commission before a disaster and amended, as needed, after a disaster.

(a) The recovery plan is composed of the pre- and post-event policies, strategies, and actions necessary to facilitate post-disaster recovery. The recovery plan will designate lead and back-up departmental action responsibilities to facilitate expeditious post-disaster recovery as well as hazard mitigation actions. The recovery plan will address short-term and long-term recovery subjects, including but not limited to: business resumption, damage assessment, demolitions, debris removal, expedited repair permitting, hazards evaluation and mitigation, historical structures, moratorium procedures, nonconforming structures and uses, rebuilding plans, restoration of infrastructure, temporary and replacement housing, and such other subjects as may be appropriate to expeditious and wise recovery. To the extent possible, the recovery plan should reflect a holistic approach where everyone in the recovery management organization team is working toward common objectives, and roles are defined within a general consensus regarding those roles; include language about constructing a mutually agreed-upon vision of community resilience; and include language regarding local perspectives on sustainability and climate adaptation.

(b) The recovery plan will identify relationships of planned recovery actions with those of local, regional, state, federal, mutual aid, and nonprofit organizations involved with disaster recovery, including but not limited to: the Federal Emergency Management Agency (FEMA), the American Red Cross, the Department of Housing and Urban Development ("HUD"), the Small Business Administration ("SBA"), the Environmental Protection Agency, the Florida Department of Transportation, the Florida Department of Emergency Management ("FDEM") and other organizations that may provide disaster assistance. Prior to adoption or amendment of the recovery plan by the city commission, the city will notify such organizations of the proposed content of the recovery plan and solicit comments from such organization in a timely manner.

(c) During the initial and intermediate stages of recovery plan formulation and prior to its adoption or amendment by the city commission, the recovery management organization will conduct outreach to community stakeholder groups, organize and distribute public

announcements, schedule and conduct community workshops and meetings, and convene advisory committees composed of representatives of homeowner, business, and community organizations, and otherwise provide information to, and consult with, the public regarding preparation, adoption, or amendment of the recovery plan. The city will solicit public comments in a timely manner during recovery plan formulation, adoption, and amendment processes.

(d) Following formulation or amendment, the director will transmit the recovery plan to the city commission for review and approval. The city commission will hold at least two legally-noticed public hearings to receive comments from the public on the recovery plan. Following the public hearings, the city commission may adopt or amend the recovery plan by resolution, or transmit the draft back to the recovery management organization with direction for further modification(s) prior to final city commission action.

(e) The recovery management organization will address key information, issues, and strategies for the orderly maintenance and periodic amendment of the recovery plan. In preparing amendments, the recovery management organization will consult in a timely manner with the city commission, city departments, businesses and community organizations, and other government entities to obtain information pertinent to possible recovery plan amendments.

(f) When the mayor declares an emergency, the recovery management organization is responsible for implementing the recovery plan. At least annually, the director will prepare and submit reports to the city commission on the progress of formulation, amendment, or implementation of the recovery plan. After a declaration of emergency, the director will report to the city commission, as often as necessary, on actions taken to implement the recovery plan in any post-disaster circumstances, identify policy issues requiring city commission policy direction, and receive authorization to proceed with interim recovery plan modifications necessitated by certain circumstances.

(g) The recovery management organization will organize and conduct periodic exercises and training annually, or more often as necessary, in order to communicate, develop, and update the recovery plan. Such exercises and training will be conducted with similar exercises and training in coordination with Manatee County Emergency Management.

(h) The recovery plan will be coordinated with the comprehensive plan, the comprehensive emergency management plan (CEMP), the local mitigation strategy (LMS), and other related plans to avoid inconsistencies among plans.

(Ord. No. 22-20 , § 2, 9-15-22)

Sec. 18-6. Interim recovery strategy.

At the earliest possible time following a declaration of local emergency, the recovery management organization will draft an interim recovery strategy.

(a) The interim recovery strategy will identify and describe recovery initiatives and actions necessitated by specific post-disaster circumstances.

(b) The interim recovery strategy will identify critical action priorities including, but not limited to, those actions identified under section 18-9 of this ordinance, describing for each action its objective, urgency, affected persons and organizations, funding sources, department responsible, and likely duration. The interim recovery strategy will separately identify those recovery initiatives and action priorities that are not covered or insufficiently covered by the adopted recovery plan but that, in the judgment of the director, are essential to expeditious fulfillment of citizen needs, hazard mitigation imperatives, critical infrastructure restoration, rebuilding needs, and without which public health, safety, welfare, and protection of life and property might otherwise be impeded.

(c) The interim recovery strategy will include a short-term hazard mitigation program comprised of high-priority actions. Such measures may include urgency ordinances dealing with mitigation and abatement priorities identified under section 18-9 of this ordinance, or requiring special land-use and development restrictions or structural measures in areas affected by flooding, fire, wind, seismic, or other natural hazards, or remediation of known human-induced or technological hazards including, but not limited to, toxic contamination.

(d) The director will transmit the interim recovery strategy to the city commission for review and approval following consultation with FEMA, other governmental agencies, businesses, infrastructure operators, and other citizen and stakeholder representatives. The director will periodically report to the city commission regarding interim recovery strategy implementation, and any adjustments that may be required by changing circumstances.

(e) The interim recovery strategy provides the basis for periodic amendments to the recovery plan and other related plans. It will identify needed post-disaster amendments to the recovery, comprehensive, emergency operations, or other codes, ordinances, plans, or regulations.

(Ord. No. 22-20 , § 2, 9-15-22)

Sec. 18-7. Hazard mitigation program.

Prior to a major disaster, the recovery management organization, with city commission concurrence, will establish a hazard mitigation program to address natural hazards, risks, and vulnerability for prioritized short-term and long-term mitigation actions leading to reduced disaster losses. The hazard mitigation program will include preparation and adoption of the local mitigation strategy, any necessary amendments to the comprehensive plan, and emergency actions to address immediate hazards abatement including hazardous materials management.

(a) In close collaboration with Manatee County, the recovery management organization will prepare for city commission review and adoption and FEMA approval a local mitigation strategy ("LMS") qualifying the city for receipt of federal hazard mitigation grant program (HMGP), flood mitigation assistance (FMA), building resilient infrastructure and communities (BRIC), and severe repetitive loss (SRL) grants, under the provisions of the Stafford Act, National Flood Insurance Act, and Disaster Mitigation Act of 2000, as amended.

(b) The LMS will include, among other items specified in applicable federal regulations (i.e., 44 CFR 201.6):

(1) a risk assessment describing the type, location, and extent of all natural hazards that can affect the city, vulnerability to such hazards, the types and numbers of existing and future structures, infrastructure, and critical facilities located in identified hazard areas, and an estimate of the potential dollar losses to vulnerable structures; and

(2) a strategy that provides the city's blueprint for reducing the potential losses identified in the risk assessment.

(c) The LMS, its mitigation strategy, and other contents, will be formally referenced in the comprehensive plan as appropriate.

(d) As new information is obtained regarding the presence, location, extent, and severity of natural and human-induced or technological hazards, or regarding new mitigation techniques, such information will be made available to the public, and the city commission will amend the LMS, the comprehensive plan, and other ordinances, plans, and regulations, as appropriate.

(Ord. No. 22-20 , § 2, 9-15-22)

Sec. 18-8. General provisions.

The following general provisions will be applicable to implementation of this ordinance:

(a) Following a declaration of local emergency, and while such declaration is in force, the recovery management organization is authorized to exercise all powers and procedures identified in this ordinance, including the temporary regulations identified below, subject to extension, modification, or replacement of all or portions of these provisions by separate ordinances adopted by the city commission.

(b) The recovery management organization will coordinate post-disaster recovery operations, including but not limited to business resumption, damage assessment, demolitions, debris removal, expedited repair permitting, hazards evaluation and mitigation, historical structures, moratorium procedures, nonconforming structures and uses, rebuilding plans, restoration of infrastructure, temporary and replacement housing, and such other subjects as may be appropriate and as further herein.

(c) The recovery management organization will coordinate recovery actions identified under this and following sections with those of state, federal, local, or other mutual aid organizations involved in disaster recovery, including but not limited to the FEMA, the American Red Cross, HUD, SBA, FDEM, Manatee County Public Safety Department, West Manatee Fire Rescue District, and other organizations that provide disaster assistance. Intergovernmental coordination tasks include but are not limited to the following:

(1) local compliance with all applicable federal and state laws and regulations;

(2) provision of information and logistical support;

- (3) participation in the LMS;
- (4) cooperation in joint establishment of one-stop service centers for victim support and assistance; and
- (5) such other coordination tasks as may be required under the specific circumstances of the disaster.

(Ord. No. 22-20 , § 2, 9-15-22)

Sec. 18-9. Temporary regulations.

The recovery management organization is authorized to administer the provisions of this section temporarily modifying provisions of the Code of Ordinances dealing with building permits, demolition permits, and restrictions on the use, development, or occupancy of private property, provided that such action, in the opinion of the Director, is reasonably justifiable for purposes of health, safety, and welfare, protection of life and property, mitigation of hazardous conditions, avoidance of undue displacement of households or businesses, or prompt restoration of critical public infrastructure.

(a) The provisions of this section are effective, subject to review by the city commission, for 90 days from the date of a local emergency declaration leading to a state-proclaimed emergency and federally-declared disaster, or until such time as the local emergency is extended, modified, replaced, or terminated in whole or in part by the mayor through separate ordinance.

(b) The provisions of this section enable actions that, in the judgment of the director, are justifiable for protection of public health, safety, and welfare, and therefore, can be reasonably declared to qualify under statutory exemptions of environmental regulations contained in other chapters of the Code of Ordinances, and within state and federal law. The director will provide ongoing monitoring reports to the city commission on environmental issues arising in relation to the interim recovery strategy, the recovery plan, and the statutory exemptions.

(c) The director has the emergency authority to undertake the following actions:

(1) Debris removal—Remove from public rights-of-way, and private property adjoining such rights-of-way, any debris, rubble, trees, damaged or destroyed vehicles, trailers, equipment, or other items of private property posing a threat to public health, safety, or welfare;

(2) Hazardous materials—Remove and abate hazardous and toxic substances threatening public health and safety;

(3) Setbacks of temporary structures—Create and maintain such additional setbacks for temporary structures to assure emergency and through movement of vehicles and pedestrians essential for recovery management;

(4) Prohibition of access—Prohibit public access to areas damaged or hazardous to public health, safety, or welfare; and

(5) Other—Take such other actions that, in the judgment of the director, are reasonably justified for protection of public health and safety, provision of emergency ingress and egress, assurance of ambulance, firefighting, or emergency access, restoration of infrastructure, and mitigation of hazardous conditions.

(d) The director will direct damage assessment teams having authority to conduct field surveys of damaged structures and post placards designating the condition and permitted occupancy of such structures, as follows:

(1) Inspected—Lawful occupancy permitted is to be posted on any structure in which no apparent structural hazard has been found. There may be other forms of damage, but such other damages, if any, are not of a nature that temporarily affect or restrict lawful occupancy.

(2) Restricted Use is to be posted on any structure in which damage has resulted in some form to restrict continued lawful occupancy. The team member posting this placard will note in general terms the type of damage encountered and will clearly and concisely note the restrictions on continued lawful occupancy.

(3) Unsafe—Do not enter or occupy is to be posted on any structure that has been damaged to the extent that continued occupancy poses a threat to life safety. Structures posted with this placard must not be entered under any circumstances except as authorized in writing by the department that posted the structure or by authorized team members. The team member posting this placard will note in general terms the type of damage encountered. This placard is not a demolition order. This ordinance and section number, the name of the responsible department, its address, and phone number, will be permanently affixed to each placard. Once a placard has been attached to a structure, it must not be removed, altered, or covered by anyone other than authorized representative of the city or upon written notification from the city. Failure to comply with this prohibition is a misdemeanor punishable by a \$500 daily fine.

(e) The director is authorized to establish a moratorium on the issuance of building permits, review of land use applications, or other permits and entitlements related to the use, development, and occupancy of private property authorized under other chapters of the Code of Ordinances, and other related ordinances, provided that, in the opinion of the director, such action is reasonably justifiable for public health, safety, and welfare, protection of life and property, and subject to the following:

(1) Posting—Notice of the moratorium will be prominently posted in a public place and on the city's website, and will clearly identify the boundaries of the area(s) where moratorium provisions are in effect, and will specify the exact nature of the development permits or entitlements that are temporarily held in abeyance; and

(2) Duration—The moratorium will be in effect subject to review by the city commission at the earliest possible time, but no later than 90 days, at which time the city commission will extend, modify, replace, or terminate the moratorium by separate ordinance.

(f) The director is authorized to issue permits in any zone for the temporary use of property that will aid in the immediate restoration of an area adversely impacted by a major disaster, subject to the following provisions:

- (1) Critical facilities—Any facility that will aid in the immediate restoration of the area, e.g., emergency communications, emergency medical, fire, or police, may be permitted in any zone for the duration of the declared emergency.
- (2) Other temporary uses—Temporary use permits, with conditions as necessary, may be issued in any zone, provided written findings are made establishing a factual basis that the proposed temporary use:
 - a. will not be detrimental to the immediate neighborhood;
 - b. will not adversely affect the comprehensive plan or any other applicable plan; and
 - c. will contribute in a positive manner to the reconstruction and recovery of areas adversely impacted by the disaster.
- (3) Temporary use permits may be issued for a period of one year following the declaration of local emergency and may be extended for one additional year, to a maximum of two years from the declaration of emergency, provided such findings continue to be applicable by the end of the first year. If, during the first or the second year, substantial evidence contradicting one or more of the required findings comes to the attention of the director, the director may revoke the temporary use permit.
- (g) Following a disaster, temporary emergency repairs to secure structures and property damaged in the disaster against further damage or to protect adjoining structures or property may be made without fee or permit where such repairs are not already exempt under other chapters of the Code of Ordinances. The building official must be notified of such repairs within ten working days, and regular permits with fees may then be required.
- (h) Except for temporary repairs permitted under provisions of this ordinance, all other repairs, restoration, and reconstruction of structures damaged or destroyed in the disaster will be reviewed through permitting procedures under the provisions of this ordinance and other chapters of the Code of Ordinances. Fees for such repair and reconstruction permits may be deferred until issuance of a certificate of occupancy.
- (i) Structures damaged or destroyed in a disaster that are legally nonconforming for use, yards, height, number of stories, lot area, floor area, residential density, parking, or other provisions of the Code of Ordinances specified herein may be repaired and reconstructed in-kind, provided that:
 - (1) The structure is damaged in such a manner that the structural strength or stability of the structure is appreciably lessened by the disaster and is less than the minimum requirements of the Code of Ordinances for a new structure;
 - (2) The cost of repair is greater than 50 percent of the replacement cost of the structure;
 - (3) All structural, plumbing, electrical, and related requirements of the Code of Ordinances, as well as any rebuilding requirements imposed by a higher level of government, such as structural elevation or basement removal if required under national flood insurance program ("NFIP"), are met at current standards;

- (4) All natural hazard mitigation requirements of the Code of Ordinances are met;
- (5) Reestablishment of the use or structure is in conformance with NFIP requirements and procedures, or any adopted higher standards;
- (6) The structure is reconstructed to the same configuration, floor area, height, and occupancy as the original structure;
- (7) No portion of the structure encroaches into an area planned for widening or extension of existing or future easements, rights-of-way, or streets as determined by the comprehensive plan or other applicable plan;
- (8) Repair or reconstruction commences within two years of the date of the declaration of local emergency in a major disaster and will be completed within two years of the date on which permits are issued; damaged structures must be secured in accordance with the city's provisions for abandoned structures in order to ensure the health, safety, and welfare of the public and protection of life and property; and
- (9) Nothing herein authorizes the continuation of a nonconforming use beyond the time limits set forth under other chapters of the Code of Ordinances that were applicable to the property prior to the disaster.

(Ord. No. 22-20 , § 2, 9-15-22)

Sec. 18-10. One-stop service center for permitting, economic, and housing assistance.

The recovery management organization will coordinate the establishment of a one-stop service center, staffed by representatives of pertinent city departments and staff of cooperating organizations, for the purpose of providing coordinated services and assistance to disaster victims for purposes including, but not limited to: permit processing to expedite repair of structures, provision of housing assistance, and encouragement of business recovery and resumption.

The director will establish the one-stop service center and procedures in coordination with other governmental entities that may provide services and support, such as FEMA, SBA, HUD, FDEM, the Manatee County Public Safety Department, West Manatee Fire Rescue District, and other organizations that provide disaster assistance.

(Ord. No. 22-20 , § 2, 9-15-22)

Sec. 18-11. Emergency contractor and volunteer certification.

The recovery management organization is authorized to establish standard certification processes for all contractors and volunteers seeking to provide clean-up, construction, or repair services within areas that have experienced disaster damage. To be eligible, contractors and volunteers must obtain the proper certification using the following processes.

(a) Contractors must apply for contractor certification at the one-stop service center with the hours of operation and location established by the city. An application processing fee of \$50.00 is required for each contractor firm and may be paid in cash, by check made payable to the city, or by electronic transfer of cash or credit card payable to the city, as available.

(b) Contractors seeking certification must meet the following minimum insurance and background check requirements:

(1) Staff will verify that contractors are properly registered and licensed with the Florida Department of Business and Professional Regulation ("DBPR") and local agencies, as applicable;

(2) The police department will conduct a criminal background check on each worker performing services for the contractor's firm;

(3) Contractors must be licensed for their respective trades through DBPR and meet minimum insurance requirements.

(4) Contractors seeking to perform projects with a scope of work that exceeds a cost of \$2,000.00 must provide proof of a general liability insurance policy for an amount not less than \$1,000,000.00.

(c) Contractors are subject to the following certification enforcement requirements:

(1) Proof of certification is a city-issued photo identification badge for each worker performing clean-up, construction, or repair services within disaster-damaged areas. This proof of certification must be displayed by each worker at all times within the designated area. Replacement badges will be issued at a cost of \$25.00.

(2) Individuals without an identification badge will not be permitted to perform clean-up, construction, or repair services.

(3) Uncertified contractors are subject to a fine of \$100.00 per day or imprisonment for not more than 30 days. Each day a violation occurs constitutes a separate offense.

(4) The city retains the right to suspend or revoke the contractor certification.

(d) Persons volunteering their efforts without compensation for disaster clean-up, construction, or repair services must also apply for emergency certification as a volunteer at the one-stop service center and receive a photo identification badge. No application processing fee is required for a volunteer certification. However, volunteers certified to assist with clean-up, construction or repair services must be affiliated with a charitable, non-profit organization meeting all preceding contractor certification insurance and enforcement requirements.

(Ord. No. 22-20 , § 2, 9-15-22)

Sec. 18-12. Temporary and permanent housing.

The director will assign staff to work with FEMA, SBA, HUD, FDEM, and other appropriate governmental and private entities to identify special programs providing temporary or permanent replacement housing that will help avoid undue displacement of people and businesses. Such programs may include deployment of mobile homes under the temporary use permit procedures provided in section 18-9 of this ordinance, use of SBA loans, available Section 8 and community development block grant funds to offset repair and replacement housing costs, and other initiatives appropriate to the conditions existing in the aftermath of a major disaster.

(Ord. No. 22-20 , § 2, 9-15-22)

Sec. 18-13. Demolition of damaged historic structures.

The director is authorized to order the condemnation and demolition of structures damaged in the disaster under the standard provisions of the Code of Ordinances, except as otherwise indicated in this ordinance.

(a) Within 28 business days after the disaster, the building official will notify the Florida Department of State Division of Historic Resources that one (1) of the following actions will be taken with respect to any structure determined by the building official to represent an imminent hazard to public health, safety, and welfare; to protection of life and property, or to pose an imminent threat to any public rights-of-way:

- (1) Where possible, within reasonable limits determined by the building official, the structure will be braced or shored in such a manner as to mitigate the hazard;
- (2) Whenever bracing or shoring is determined not to be reasonable, the building official will cause the structure to be condemned and immediately demolished.

Such condemnation and demolition will be performed in the interest of public health and safety without a condemnation hearing as otherwise required by the Code of Ordinances. Prior to commencing demolition, the building official will photographically document and record the conditions of the entire structure.

(b) If, after the specified time frame noted in subsection 18-8(a) of this ordinance and less than 30 days after the disaster, a historic structure is determined by the building official to represent a hazard or threat to the public health and safety, the building official will duly notify the structure owner of the intent to proceed with a condemnation hearing within 28 business days of the notice in accordance with Code of Ordinances; the building official will also notify FEMA, in accordance with the National Historic Preservation Act of 1966, as amended, of the intent to hold a condemnation hearing.

(c) Within 30 days after the disaster, for any historic structure that the building official and the owner have agreed to demolish, the building official will submit to FEMA, in accordance with the National Historic Preservation Act of 1966, as amended, a request to demolish. Such request will include all substantiating data.

(d) If after 30 days from the disaster event, the building official and the owner of a historic structure agree that the structure should be demolished, such action will be subject to the review process established by the National Historic Preservation Act of 1966, as amended.

(Ord. No. 22-20 , § 2, 9-15-22)

Secs. 18-14—18-30. Reserved.

ARTICLE II. CIVIL DEFENSE EMERGENCY AND LOCAL DISASTER PROCEDURES

Sec. 18-31. Established; applicability.

There are hereby established the following civil defense emergency and local disaster procedures, limitations and restrictions, which shall become applicable before, during and following any such emergency or disaster in accordance herewith. Each section shall become applicable upon the occurrence of the conditions therein specified, or upon invocation of the provisions thereof in accordance with section 18-32.

(Code 1978, § 8.5-1)

Sec. 18-32. Implementation.

Where applicability is not otherwise provided therein, the several provisions of this article as are found to be necessary or appropriate shall be invoked by a simple majority vote of a quorum of the city council if same can be assembled in less than 30 minutes. If such quorum cannot be assembled, or if circumstances do not otherwise allow the assembly of such a quorum, then such provisions may be invoked by proclamation of available city officials in the following succession: Mayor, chairman of city council, vice-chairman of city council, other council members in order of seniority, chief of police, other ranking police officer. It is the intent of this section that the highest ranking official in accordance with the foregoing succession who is available, conversant with local conditions and in communication with local disaster officials shall, under delegation from the city council, invoke and declare applicable such provisions of this article as to such official appear warranted by the then-existing conditions.

(Code 1978, § 8.5-2)

Sec. 18-33. Hurricanes—Precivil defense emergency status (condition green).

At the time a hurricane watch status is in effect for the Anna Maria Island area, tidal height and wave conditions shall be monitored under the direction of the chief of police. Evacuation procedures shall be reviewed by the mayor and chief of police and all personnel alerted for emergency status.

(Code 1978, § 8.5-3)

Sec. 18-34. Same—Early evacuation emergency status.

(a) Should it be determined by the ranking city official in accordance with section 18-32, after conferring with the chief of police, that early evacuation of the residents of the city will be required prior to the issuance of an official hurricane warning for the area, a civil defense emergency shall be declared.

(b) The ranking city official shall convene the emergency disaster committee in accordance with the hurricane evacuation plan of the city.

(c) The chief of police may be designated to be responsible for the execution of the evacuation procedures as set forth by the state, the county or the city.

(Code 1978, § 8.5-4)

Sec. 18-35. Natural disasters; civil defense emergency status (condition orange).

(a) Evacuation procedures, if necessary, shall be instituted as set forth in sections 18-32 through 18-34, whether the emergency be declared by the federal, state, county or city government.

(b) All actions will be taken to control effects of the growing disaster in accordance with appropriate standard operating procedures of the county peacetime emergency plan and the city.

(Code 1978, § 8.5-5)

Sec. 18-36. Withdrawal of county or city forces operation.

All county and city forces will begin self-protective withdrawal from the area as conditions warrant. As disaster conditions reach such proportions as to make the probability of successful volunteer operations in bona fide emergency calls significantly diminished, no rescue work will be ordered or permitted.

(Code 1978, § 8.5-6)

Sec. 18-37. Early recovery status (condition blue).

When conditions moderate, civil defense personnel, city officials, police officers, and disaster work crews will be permitted to leave shelter and return to evaluate local conditions. Following the lifting of this condition, special control of traffic to the city will be maintained. Resident return (with proper I.D.) will be determined by extent of damage and accessibility. Priority for early

return will be given to merchants providing essential services or merchandise, including but not limited to those operating food, drug, hardware, gasoline or medical establishments.

(Code 1978, § 8.5-7)

Sec. 18-38. Declaration of local disaster.

The President of the United States, the Governor of Florida, county commission or the city as provided in this article may declare a local disaster status if extensive damage to public utilities, public buildings, public communication systems, public streets, roads, public drainage system, commercial and residential buildings and areas exists.

(Code 1978, § 8.5-8)

Sec. 18-39. Evaluation and assessment of loss.

(a) Evaluation and assessment of loss shall be made as soon as accessibility to the city is feasible under the guidelines set forth in the county peacetime emergency plan, and as may be directed by the state and the federal government.

(b) The mayor, the superintendent of public works, the building official, the chief of police, city clerk and other governmental or knowledgeable volunteer persons shall use all means available to determine as accurately as possible the assessment of loss. Reports shall be submitted as required and may be attached to the county report.

(Code 1978, § 8.5-9; Ord. No. 21-22 , § 22, 10-26-21)

Sec. 18-40. Post-disaster recovery.

(a) Following evaluation of a natural disaster within the city, the mayor, the building official, superintendent of public works and police chief will confer with county civil defense and utility personnel to determine a program of cleanup and restoration.

(b) The superintendent of public works shall be responsible for the implementation of the cleanup and restoration program as set forth by administrative procedures of the city.

(c) Accessibility of main roads will be given priority to ensure as early return as is possible for residents of the community.

(Code 1978, § 8.5-10; Ord. No. 21-22 , § 23, 10-26-21)

Sec. 18-41. Return of persons to the city.

(a) The mayor, or other ranking city official, after conferring with the chief of police and superintendent of public works, shall determine a program for orderly return to the city.

(b) Merchant and resident return to the island will be determined by extent of damage and accessibility of roads. The police department, together with assistance from the sheriff's department if required, will implement procedures and patrol for orderly return to the city. Identification of all persons returning to the city will be required.

(Code 1978, § 8.5-11)

Sec. 18-42. Establishment of curfew.

When so declared pursuant to section 18-32, a general curfew throughout the city may be established by the mayor, or in the mayor's absence, by the vice-mayor, or in the vice-mayor's absence, by the police chief. This curfew shall not apply to regular members of the law enforcement bodies or disaster crews while doing cleanup or restoration work. Regular employees of local businesses, while traveling to and from their jobs, are exempt provided they have identification if stopped by any law enforcement personnel. Local businesses are required to do everything possible to provide identification to such of their employees as shall need the same.

(Code 1978, § 8.5-12)

Sec. 18-43. Limitation of store opening hours.

In order to facilitate cleanup and restoration during a local disaster emergency, limitation may be placed on the hours business establishments may remain open.

(Code 1978, § 8.5-13)

Sec. 18-44. Prohibition of price gouging.

(a) When so declared pursuant to section 18-32, it will be unlawful for any merchant doing business within the city to charge more than the normal average retail price for any merchandise sold. The average retail price as used in this section is defined to be that price at which similar merchandise was being sold during the 90 days immediately preceding the emergency or at a mark-up which is no larger percentage over wholesale cost than was being added to wholesale cost prior to the emergency.

(b) Any licensee of the city found guilty of violating any provision of this section may have his license suspended or revoked by the city council in addition to other penalties as provided in section 18-51.

(Code 1978, § 8.5-14)

Sec. 18-45. Removal of debris.

(a) Should the President of the United States declare a major disaster in the city, or the county under the provisions of Public Law 288, 93rd Congress, as amended, the Office of Federal Emergency Management Agency may be requested to arrange to have the appropriate federal agency perform the following work: Removal of debris and wreckage from public property and from public rights-of-way and private property to established disposal sites.

(b) The city council certifies that, to the best of its knowledge and belief, the requested work is eligible under Public Law 288, 93rd Congress, and agrees to:

(1) Provide without cost to the United States the use of all lands, easements and rights-of-way necessary for the accomplishment of the approved work; and

(2) Hold and save the United States free from damages due to the approved work and with respect to debris removal and shall indemnify the federal government against any claim arising from such removal.

(Code 1978, § 8.5-15)

Sec. 18-46. Letting of contracts.

Formal bidding procedures, including public advertising, may be dispensed with where compliance of same is determined to unnecessarily delay the award of contracts for necessary repairs, equipment or services.

(Code 1978, § 8.5-16)

Sec. 18-47. Distribution of ice, charcoal or other materials.

The city may set up a distribution system for ice, drinking water and charcoal for cooking at no cost to the residents.

(Code 1978, § 8.5-17)

Sec. 18-48. Collection areas for debris and garbage.

The superintendent of public works shall be responsible for the establishment of designated areas for debris accumulation. In addition, if local streets are inaccessible to disposal trucks, designated areas for bagged garbage shall be established.

(Code 1978, § 8.5-18)

Sec. 18-49. Temporary mobile homes.

(a) The building official is hereby authorized to issue permits for the location of mobile homes on parcels of property within the city and its police jurisdiction, which permits shall be for

a period of time not exceeding one year. The superintendent of public works shall issue permits after he has found and determined that the applicant has sustained such damage to his or her primary residence as to cause the same to be uninhabitable.

(b) Any person aggrieved by the issuance or denial of the permit allowed under this section may appeal such issuance or denial to the city council.

(Code 1978, § 8.5-19; Ord. No. 21-22 , § 24, 10-26-21)

Sec. 18-50. Repeal of proclamations and emergency provisions.

All proclamations and emergency regulations invoked under the provisions of this article shall be repealed, when a civil defense or local disaster emergency ceases to exist.

(Code 1978, § 8.5-20)

Sec. 18-51. Penalties.

Violation of sections 18-42, 18-43 and 18-44 of this article shall be as provided in section 1-13.

(Code 1978, § 8.5-21)

Appendix G – Statewide Mutual Aid Agreement