

**STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT**

IN RE: SUSPENSION OF STATUTES
PURSUANT TO EXECUTIVE
ORDERS 22-218 AND 22-219,
MADE NECESSARY BY HURRICANE IAN

DEM ORDER NO. 22-006

EMERGENCY ORDER

WHEREAS, on September 23, 2022, Governor DeSantis issued Executive Order 22-218 regarding the tropical cyclone that became Hurricane Ian and declared a state of emergency for several counties in Florida’s peninsula and the Florida Keys; and

WHEREAS, on September 24, 2022, Governor DeSantis issued Executive Order 22-219, which amended Executive Order 22-218 to declare a state of emergency for the entire State of Florida; and

WHEREAS, on September 28, 2022, Hurricane Ian made landfall as a Category 4 Hurricane on Florida’s Southwest coast with sustained winds of approximately 150 miles per hour, inflicting catastrophic storm surge and wind damage in coastal and inland counties before traveling across Florida’s peninsula; and

WHEREAS, the scope and scale of the destruction in Southwest Florida is immense and unprecedented, and Hurricane Ian is likely to stand as one of the most destructive storms in U.S. history; and

WHEREAS, local governing bodies across Florida are working tirelessly to provide critical support to the response and recovery effort and to protect those affected by this catastrophic natural disaster; and

WHEREAS, certain provisions of Florida law require that public meetings be conducted at a specific location or that a quorum be present for local government bodies to conduct official business; and

WHEREAS, strict compliance with the in-person requirement for meetings or quorums in these provisions could prevent, hinder, or delay necessary action by some local government bodies in the affected areas to cope with the emergency created by Hurricane Ian; and

WHEREAS, local government bodies in the affected areas may need to conduct meetings using teleconferencing or other technological means to cope with the emergency; and

WHEREAS, Section 2 of Executive Order 22-218, as amended by Executive Order 22-219, designated the Director of the Division of Emergency Management as the State Coordinating Officer for the duration of this emergency and delegated to the State Coordinating Officer the authority to exercise those powers delineated in section 252.36(6)-(12), Florida Statutes; and

WHEREAS, pursuant to Section 2.F. of Executive Order 22-218, as amended by Executive Order 22-219, and section 252.36(1)(a) and (6)(a), Florida Statutes, Governor DeSantis authorized the State Coordinating Officer to suspend the effect of any statute, rule, or order that would in any way prevent, hinder, or delay any mitigation, response, or recovery action necessary to cope with this emergency; and

WHEREAS, pursuant to Section 4.B. of Executive Order 22-218, as amended by Executive Order 22-219, each state agency may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of that agency, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency.

NOW, THEREFORE, I, KEVIN GUTHRIE, pursuant to Section 2 of Executive Order 22-218, as amended by Executive Order 22-219, sections 252.36(1)(a) and (6)(a), Florida Statutes, and any other relevant laws, find that strict compliance with the in-person requirement for meetings and quorums of the following regulatory statutes, which prescribe the procedures for the conduct of state business, would prevent, hinder, or delay necessary action in coping with the emergency: sections 125.001, 153.53(6)(a) and (8), 154.207(7), 155.12, 162.05(4), 163.526(1)(i), 166.0213, 166.041(4), 186.507(15), 189.015(3), 189.031(3)(e), 425.09(4) and (6), 425.10(4), 472.007(4), 582.19(2) and 1001.372(2) and (4), Florida Statutes.

Accordingly, pursuant to the authority delegated to me in Executive Order 22-218, as amended by Executive Order 22-219, section 252.36(1)(a) and (6)(a), Florida Statutes, and any other relevant laws, I hereby suspend the effect of the above-referenced statutes only to the extent such statutes: (1) require physical presence for a quorum to be established; or (2) require a local government body to meet at a specific location. This Order authorizes the waiver of such requirements only to the extent necessary for local government bodies (including any subsidiary boards or advisory committees thereof) located in Charlotte, Collier, DeSoto, Flagler, Hardee, Hendry, Highlands, Hillsborough, Lake, Lee, Manatee, Orange, Osceola, Pinellas, Polk, Putnam, Sarasota, Seminole, St. Johns, and Volusia Counties to take necessary action in coping with the emergency.

This Order does not waive the requirements for local government bodies to conduct public meetings or to establish a quorum to conduct official business. However, local government bodies in the counties identified above may conduct such public meetings and establish quorums by other means, such as telephonic and video conferencing, as provided in section 120.54(5)(b)2., Florida Statutes. This Order does not waive any requirements for public meetings to be conducted in

accordance with the Florida Constitution and Florida's Government in the Sunshine Laws, including Chapter 286, Florida Statutes.

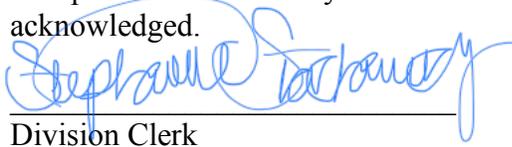
This Order is effective immediately and shall expire thirty (30) days from the date of this Order.

By Order of the State Coordinating Officer executed this 5th day of October, 2022, in Tallahassee, Leon County, Florida.



Kevin Guthrie
State Coordinating Officer
Florida Division of Emergency Management
2555 Shumard Oak Blvd.
Tallahassee, Florida 32399

Filed on this date, with the designated Division Clerk, receipt of which is hereby acknowledged.



Division Clerk

Date: 10-5-2022