

ORDINANCE 2022-39

AN EMERGENCY ORDINANCE RELATING TO  
REGULATIONS DURING A STATE OF LOCAL  
EMERGENCY; PROVIDING FOR A CURFEW AND  
EXEMPTIONS; PROVIDING FOR THE TERRITORY  
EMBRACED; PROVIDING FOR PENALTIES FOR  
VIOLATIONS; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the County of Volusia, Florida, pursuant to Home Rule Power and Florida Statutes, Chapter 252, has declared a state of local emergency pursuant to County ordinance for Tropical Storm Nicole; and

**WHEREAS**, this emergency ordinance is in response to a hurricane or weather-related emergency of Hurricane Nicole; and

**WHEREAS**, Florida Statutes, Chapter 252.38, provides authority for a political subdivision such as Volusia County to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law pertaining to taking whatever action is necessary to ensure the health, safety, and welfare of the community; and

**WHEREAS**, the County Council finds and declares that in order to protect and safeguard the health, safety, and welfare of the people of Volusia County, the imposition of an emergency curfew pursuant to County ordinance is necessary;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AS FOLLOWS:

**SECTION I:** A curfew within the incorporated and unincorporated areas of Volusia County east of the Intracoastal Waterway shall take effect at 11:22 a.m. on Thursday, November 10, 2022, and end on Friday, November 11, 2022, at 7 a.m. This curfew shall not apply to regular members of the law enforcement bodies. Regular employees of local

1 businesses, industries, or governmental entities, while traveling to and from their jobs, and all  
2 emergency workers are exempt, provided they have identification if stopped by any law  
3 enforcement personnel.

4 **SECTION II:** All territory within the legal boundaries of Volusia County, Florida,  
5 including all unincorporated and incorporated areas, shall be embraced by the provisions of  
6 this Ordinance.

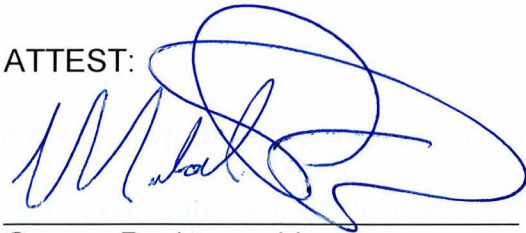
7 **SECTION III:** Any person who knowingly violates this Ordinance shall, upon  
8 conviction, be subject to a fine not exceeding \$500.00, or imprisonment in the County jail for a  
9 period of up to sixty (60) days, or by both such fine and imprisonment.

10 **SECTION IV:** This Emergency Ordinance shall take effect immediately unless  
11 rescinded prior to that time.

12 THE COUNTY CHAIR ON BEHALF OF THE COUNTY COUNCIL OF VOLUSIA  
13 COUNTY, FLORIDA, PURSUANT TO FLORIDA STATUTUE AND COUNTY THIS 10<sup>TH</sup> DAY  
14 OF NOVEMBER A.D., 2022.

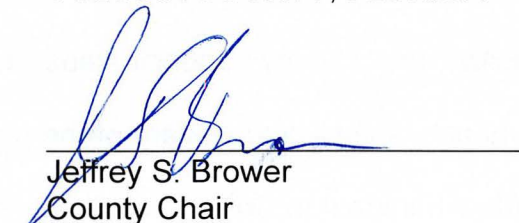
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17 ATTEST:

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George Recktenwald  
County Manager

COUNTY COUNCIL  
VOLUSIA COUNTY, FLORIDA



Jeffrey S. Brower  
County Chair

