



P.O. Box 3371
Phone (813)247-8000
www.hcso.tampa.fl.us

David Gee, Sheriff
Jose Docobo, Chief Deputy

Hillsborough County
Tampa, Florida 33601

June 11, 2010

Mr. Mitchell M. Thrower, III, Chairman
Charter Review Board of Hillsborough County
C/O Edith Stuart, Public Affairs Administrator
County Center, 26th
601 East Kennedy Boulevard
Tampa, Florida 33602

Dear Mr. Thrower:

The Hillsborough County Sheriff's Office is very appreciative of your long-standing service to Hillsborough County and its citizens. I very much enjoyed your insight and comments during my May 24th appearance before the Charter Review Board. During that meeting, you requested that I provide written follow-up to our discussion regarding the role of the County Administrator as the head of the Emergency Policy Group during times of emergency. Specifically, you asked for feedback on the possible advantages of the Sheriff, rather than the County Administrator, heading the Emergency Policy Group during a time of emergency.

As you know, F.S. 870.042 delineates "the Sheriff of each of the several counties of this state, or such other county official having the duties of a Sheriff in counties operating under home rule charter, by whatever name known, shall be empowered to declare that a state of emergency exists within the unincorporated areas of the county and to exercise the emergency powers conferred in F.S. 870.041-870.047." This statute also grants similar authority to the "governing body of any municipality" and / or the chief of police in the absence of such collective or higher authority. Additional duties and responsibilities relating to emergency management within each county and municipality are further described throughout F.S. 252.00 entitled "Emergency Management."

The applicable state laws pertaining to emergency management at the local level are augmented in Hillsborough County by County Ordinance #06-13 entitled, "Hillsborough County Emergency Ordinance; Relating to Provisions for Local Emergencies in Hillsborough County; Repealing Ordinance #94-9", which took effect June 09, 2006. This local ordinance was implemented in accordance with the County's statutory authority to create supplemental emergency management provisions pursuant to F.S. 252.38. In summary, Hillsborough County Ordinance #06-13 amends and maintains the provisions for a group of governmental and public safety leaders from within Hillsborough County to be assembled during times of declared emergencies and to collectively make certain decisions with regard to the health, safety, welfare, and property of persons within the County. The ordinance defines the members of the

Charter Review Board

June 11, 2010

Page 2

“Emergency Policy Group” (EPG) and empowers them to implement many of the same statutory privileges already granted unilaterally to the “Sheriff” by law. The ordinance defines the members of the “Emergency Policy Group” as, “the Chairman of the BOCC, Vice Chairman of the BOCC, County Commissioner, Mayor – City of Tampa, Mayor – City of Temple Terrace, Mayor – City of Plant City, Sheriff.”

Most on point to your questions regarding the authority of the County Administrator, Section 5 of Hillsborough County Ordinance # 06-13 provides that, “the Emergency Policy Group (EPG) may delegate to the **County Administrator** the authority, upon consultation with emergency management staff, the precise areas to be evacuated, and the timing of such evacuations.” Section 6 defines additional administrative powers granted to the County Administrator subsequent to the “declaration of a state of local emergency” to include the waiving of normal procedures and formalities as necessary to provide for emergency operations.

During your remarks regarding the leadership role of the County Administrator in the Emergency Policy Group, you mentioned your concerns that Hillsborough County is now acting under a new, and possibly interim County Administrator. I do feel that it would be beneficial for Hillsborough County’s ordinance, or Charter, to be updated to clarify that while public safety decisions should be made jointly by the members of the EPG (during a time of emergency), if disagreement exists, the Sheriff elected by Hillsborough County’s citizens, rather than an appointed County Administrator, should cast the deciding vote. If it is the will of the Charter Review Board to recommend language be added to the Charter stipulating that the Hillsborough County Sheriff, rather than the County Administrator, serve in the leadership role of the Emergency Policy Group, state law would allow for that. Alternately, this same change could be effected through BOCC action, if the Board were to vote to update County Ordinance # 06-13 to clarify the authorities of the Sheriff on the Emergency Policy Group and align them with existing State Statues.

I have enclosed Hillsborough County Ordinance # 06-13 for your review. I hope that you have found this letter responsive to your inquiry. I look forward to working with you, and other members of the Charter Review Board, to make Hillsborough County a safe place to live and raise our families.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Gee", with a star symbol above the first letter of the last name.

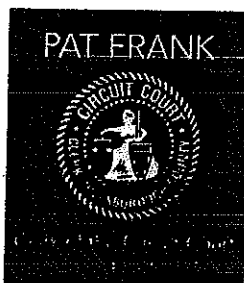
David Gee
Sheriff

DG/lab/ta

Enclosure

ORDINANCE

06-13



June 20, 2006

Norma J. Wise, Director
Hillsborough County Law Library
501 E. Kennedy Boulevard Ste. 100
Tampa, Florida 33602-5027

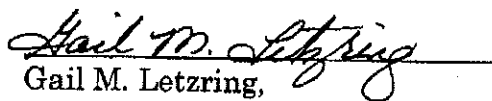
Re: Ordinance #06-13
Hillsborough County Emergency Ordinance; Relating to Provisions for Local
Emergencies in Hillsborough County ; Repealing Ordinance 94-9

Dear Ms. Wise:

Attached please find a copy of Hillsborough County Ordinance #06-13 which was adopted by the Board of County Commissioners on June 7, 2006. We are also forwarding acknowledgment received from the Secretary of State. This ordinance has an effective date of June 9, 2006.

If I can provide additional information or be of further assistance, please do not hesitate to contact me.

Sincerely,


Gail M. Letzring,
Manager, BOCC Records

md

Attachments

cc: Evelyn Jefferson, Municipal Code Corporation
Ellen Leonard, Legal Advisor, Sheriff's Office
Librarian, State Attorney's Office
Paul D. Johnston, Assistant County Attorney
Larry Gispert, Director, Emergency Management
Sandra Davidson, County Attorney's Office



Agenda Item Cover Sheet

Agenda Item N^o. D-1

Meeting Date June 07, 2006

- Consent Section
- Regular Section
- Public Hearing

Subject:
Public Hearing to consider amending Hillsborough County Emergency Ordinance 94-9.

Department Name: County Attorney's Office/County Attorney's Office

Contact Person: Paul D. Johnston **Contact Phone:** 272-5670

Sign-Off Approvals:	
Renée Francis Lee	Mary Helen Farris
<small>County Attorney</small>	<small>Managing County Attorney</small>
<u>05/18/2006</u>	<u>05/18/2006</u>
<small>Date</small>	<small>Date</small>
NA	NA
<small>Management and Budget - Approved as to Financial Impact Accuracy</small>	<small>Assistant County Attorney</small>
<u>NA</u>	Paul Johnston
<small>Date</small>	<u>05/18/2006</u>
<small>Date</small>	<small>Date</small>

Staff's Recommended Board Motion:
Conduct a public hearing to consider amending Hillsborough County Emergency Ordinance 94-9 for the purpose of keeping the ordinance consistent with the recently revised Hillsborough County Comprehensive Emergency Management Plan. There is no financial impact to the County.

Financial Impact Statement:
There is no financial impact to the County.

Background:
The BOCC, at its regular meeting on May 3, 2006, directed staff to draft changes to the Emergency Ordinance 94-9. At the May 17, 2006 meeting, the BOCC directed staff to schedule a public hearing on the amendments to the ordinance for June 7, 2006. A notice of public hearing was advertised in a local paper on May 27, 2006. The changes to the ordinance are for the purpose of providing consistency with the County Comprehensive Emergency Management Plan.

List Attachments:

ORDINANCE NO. 06-13

AN ORDINANCE RELATING TO PROVISIONS FOR LOCAL EMERGENCIES IN HILLSBOROUGH COUNTY, PROVIDING PURPOSE AND INTENT; PROVIDING DEFINITIONS; PROVIDING FOR CONDITIONS PRECEDENT; PROVIDING FOR DECLARATIONS OF A STATE OF LOCAL EMERGENCY; PROVIDING EMERGENCY MANAGEMENT POWERS OF THE EMERGENCY POLICY GROUP AND OF THE COUNTY ADMINISTRATOR; ESTABLISHING HURRICANE EVACUATION LEVELS; PROVIDING FOR RESPONSE TO HAZARDOUS MATERIALS INCIDENTS; PROVIDING FOR TERMINATION OF EMERGENCY STATUS; PROVIDING PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR LIBERAL CONSTRUCTION; REPEALING ORDINANCE NO. 94-9; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Hillsborough County, Florida, pursuant to Chapter 252, Florida Statutes, has the authority to provide for the health, safety, and welfare of the people and property within Hillsborough County during an emergency; and

WHEREAS, the Board of County Commissioners of Hillsborough County, Florida, pursuant to Chapter 252, Florida Statutes, has the authority to direct and coordinate the development of emergency management plans for all areas of the County; and

WHEREAS, the Hillsborough County has developed an emergency management plan, currently referred to as the Hillsborough County Comprehensive Emergency Management Plan, to carry out the policies and provisions of Chapter 252, Florida Statutes; and

WHEREAS, the Board of County Commissioners of Hillsborough County, Florida, declares that the emergency provisions of the Hillsborough County Comprehensive Emergency Management Plan, or any amended or successor plan, shall be implemented upon action by the Emergency Policy Group declaring a state of local emergency; and

WHEREAS, the Board of County Commissioners of Hillsborough County, Florida finds that the Hillsborough County Comprehensive Emergency Management Plan, or any amended or successor plan, will promote the health, safety, and welfare of the people and property of Hillsborough County in local emergency situations.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, THIS 7TH DAY OF JUNE 2006, AS FOLLOWS:

SECTION 1: PURPOSE AND INTENT

The Board of County Commissioners of Hillsborough County, Florida finds and declares that in order to protect the health, safety, and welfare of the people and property of Hillsborough County in local emergency situations, the provisions of this Ordinance are necessary.

It is the legislative intent of the Board of County Commissioners that all provisions of this Ordinance shall be liberally construed to protect and preserve the public health, safety and welfare of the citizens in the incorporated and unincorporated areas of Hillsborough County, Florida.

SECTION 2: DEFINITIONS

For purposes of this Ordinance, the following terms shall have the meaning indicated in this section unless otherwise indicated by the context. Words used in the present tense include the future, and include both singular and plural forms:

- (a) "COUNTY" means the incorporated and unincorporated areas of Hillsborough County.
- (b) "EMERGENCY POLICY GROUP (EPG)" means that group of elected officials designated in the Hillsborough County Comprehensive Emergency Management Plan, specifically comprised of: Chairman of the BOCC; Vice Chairman of the BOCC; County Commissioner (appointed by the BOCC); Mayor, City of Tampa; Mayor, City of Temple Terrace; Mayor, City of Plant City; Hillsborough County Sheriff.
- (c) "PERSON" means any individual, trust, firm, corporation, joint stock company, partnership, association, municipality or other public entity.

SECTION 3: CONDITIONS PRECEDENT

A declaration by the Emergency Policy Group of a state of local emergency shall effectuate the terms and provisions of this Ordinance and the Comprehensive Emergency Management Plan.

SECTION 4: DECLARATION OF A STATE OF LOCAL EMERGENCY;
DURATION; ALTERATION AND RESCISSION.

- (a) A state of local emergency shall be declared by executive order of the Emergency Policy Group if it finds that an emergency, as defined in Section 252.34, Florida Statutes, has

occurred or that the threat thereof is imminent. All executive orders issued under this section shall indicate the nature of the emergency, the area or areas threatened, and the conditions which have brought the emergency about or which make possible its termination. The content of such orders shall be promptly disseminated by means calculated to bring it to the attention of the general public and to the governing bodies of the municipalities within Hillsborough County.

(b) The duration of each state of local emergency declared shall be seven (7) days. It may be extended, as necessary, in seven (7) day or lesser increments, by executive order of the Emergency Policy Group.

(c) Any state of local emergency declared may be altered or rescinded during the continued or threatened existence of a state of local emergency by the issuance of a subsequent executive order of the Emergency Policy Group.

SECTION 5: EMERGENCY MANAGEMENT POWERS OF THE EMERGENCY
POLICY GROUP

(a) Upon declaration of a state of local emergency, the Emergency Policy Group shall have the power and authority to direct and compel the evacuation of all or part of the population from the stricken or threatened area within the County if it deems this action necessary for the preservation of life or other emergency mitigation, response, or recovery. The Emergency Policy Group may delegate to the County Administrator the authority, upon consultation with emergency management staff, the precise areas to be evacuated, and the timing of such evacuations. The County Administrator, once it has been determined that the danger to any particular areas has passed or subsided, has the authority to terminate evacuation orders to those areas.

(b) (1) During the existence of a state of local emergency, the Emergency Policy

Group shall have the power and authority to impose by executive order, restrictions including, but not limited to, the following:

- a. Prohibit or regulate the purchase, sale, transfer, or possession of explosives, combustibles, firearms, dangerous weapons of any kind, or alcoholic beverages;
- b. Prohibit or regulate any demonstration, parade, march, vigil or participation therein from taking place on any public right-of-way or upon any public property. (This provision shall not prohibit the Sheriff of Hillsborough County, or the designated official within any of the municipalities from taking action authorized by section 870.042, Florida Statutes.);
- c. Prohibit or regulate any sale or use of gasoline, kerosene, naphtha or any other explosive or flammable fluids or substances, but may allow the delivery of such into a tank properly affixed to an operable motor vehicle, bike, scooter, boat, or airplane and necessary for the propulsion thereof. This includes the authority to prohibit or regulate the possession of any portable container containing gasoline or other flammable or combustible liquid.
- d. Prohibit or regulate the participation in or carrying on of any business activity, and the keeping open of places of business, places of entertainment, and any other place of public assembly when such activities may negatively impact public health, safety and welfare;
- e. Prohibit or regulate travel upon any public street or highway or upon any other public property. Persons in search of medical assistance, food or other commodity or service necessary to sustain the well being of themselves or their

families may be exempted from such prohibition or regulation;

f. Impose a curfew upon all or any portion of the County prohibiting persons from being on public streets, highways, parks or other public places during the hours the curfew is in effect;

g. Prohibit state and/or local business licensees, vendors, merchants and any other person operating a retail business from charging more than the normal average retail price for any goods, materials, or services sold during a declared state of local emergency. The average retail price as used herein is defined as that price at which similar goods, materials or services were being sold during the ninety (90) day period immediately preceding the declared state of local emergency. If the wholesale price or the cost of obtaining the goods, materials or services has increased as a direct result of the local emergency, the average retail price may be increased, but only to the degree that the maximum increase in retail price shall be less than or equal to the amount representative of the average mark-up between the wholesale and average retail price for any goods, materials or services during the ninety (90) day period immediately preceding the declared state of local emergency.

h. Prohibit any person, firm, or corporation from using the fresh water supplied by public water systems for any purpose other than cooking, drinking, or bathing.

(2) The executive order of the Emergency Policy Group may exempt, from all or any part of such restrictions, physicians, nurses and ambulance operators performing medical services; on-duty employees of hospitals and other medical facilities; on-duty military personnel;

bona fide members of the news media; personnel of public utilities maintaining essential public services; County authorized and requested emergency management, firemen, law enforcement officers and personnel; and such other classes of persons as may be essential to the preservation of public order and immediately necessary to protect the public health, safety, and welfare.

SECTION 6: EMERGENCY MANAGEMENT POWERS OF THE COUNTY ADMINISTRATOR.

Upon declaration of a state of local emergency, the County Administrator, pursuant to Section 252.38, Florida Statutes, shall have the power and authority to waive the procedures and formalities otherwise required of the County by law or ordinance pertaining to:

- (a) Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community.
- (b) Entering into contracts;
- (c) Incurring obligations;
- (d) Employment of permanent and temporary workers;
- (e) Utilization of volunteer workers;
- (f) Rental of equipment;
- (g) Acquisition and distribution, with or without compensation, of supplies, materials, and facilities;
- (h) Appropriation and expenditure of public funds;
- (i) Appropriation or requisition of merchandise, goods, equipment, services, property or personnel needed to alleviate the emergency with reimbursement paid at a later date. Reimbursement shall be at the rate charged during the ninety (90) day period immediately preceding the emergency unless there is good and sufficient reason to

reimburse at a different rate.

SECTION 7: HURRICANE EVACUATION LEVELS ESTABLISHED.

The hurricane evacuation levels of the County are hereby established as designated upon the map on file at the Emergency Operations Center known as the "Hillsborough County Evacuation Map" and such map and all notations, references, or other information shown thereon are incorporated by reference and shall be a part of this section the same as if such information were fully and completely described and set forth herein.

SECTION 8: RESPONSE TO HAZARDOUS MATERIALS INCIDENTS

(a) DEFINITIONS - For purposes of this section, the following terms shall have the meaning indicated in this subsection:

- (1) "EXTREMELY HAZARDOUS SUBSTANCES" refers to any substance listed as an Extremely Hazardous Substance in Appendix A and B of 40 CFR, Part 355.
- (2) "HAZARDOUS CHEMICAL" has the meaning given such term by section 311 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA).
- (3) "HAZARDOUS MATERIAL" refers generally to any material that because of its quantity, concentration, or physical chemical characteristics, poses significant present or potential hazard to human health and safety or to the environment if released into the environment. "Hazardous Materials" include, but are not limited to, Extremely Hazardous Substances, Hazardous Chemicals, and

Toxic Chemicals.

(4) "INCIDENT" means a release or threatened release of a hazardous material, as described herein that constitutes an emergency.

(5) "INCIDENT COMMANDER" means the pre-designated local, state, or federal official responsible for the coordination of a hazardous materials response action, as outlined in Hillsborough County's Response Plan for Releases of Extremely Hazardous Substances.

(6) "RELEASE" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers and other closed receptacles) of any hazardous chemical, toxic chemical or extremely hazardous substances.

(7) "THREATENED RELEASE" means a condition creating a substantial probability of harm, when the probability and potential extent of harm make it reasonably necessary to take immediate action to prevent, reduce, or mitigate damages to persons, property or the environment.

(8) "TOXIC CHEMICAL" means a substance on the list described in section 313(c) of the Emergency Planning and Community Right-To-Know Act of 1986 (EPCRA).

(b) Whenever it becomes evident or reasonable to assume that an emergency exists as a result of a release or threatened release which is or may become injurious to or endanger the public health, safety and welfare, or the environment, the Director of Emergency Management, or his designee, in conjunction with the incident commander, shall have the following powers:

- (1) To monitor with or without monitoring devices the hazardous material release and any person who is or may become contaminated with the hazardous chemical, toxic chemical or extremely hazardous substance.
- (2) To take any actions to abate the hazardous material release and to contain the same.
- (3) To prohibit any person from discarding any property that monitoring or other evidence has revealed to be contaminated to a degree injurious to the health of any person or the environment.
- (4) To prohibit any person who is contaminated with a hazardous substance or who is wearing contaminated clothing from entering an uncontaminated area without undergoing prescribed decontamination procedures.
- (5) To prohibit the movement or transfer of any vehicles or equipment from a contaminated area to an uncontaminated area without undergoing prescribed decontamination procedures.
- (6) To cause any person to vacate an area which is or may become contaminated or where other great menace to public health, safety and welfare exists.
- (7) To cause any person who has become contaminated to undergo prescribed decontamination procedures.
- (8) To prohibit entry of unauthorized persons, vehicles or equipment into areas in which there is evidence of contamination or where other great menace to public health, safety and welfare exists.
- (9) To establish areas for the reception, storage and disposal of contaminated

property and materials.

(10) To prohibit any unauthorized person from recovering any article, property, material or item that has been placed in any area designated for the reception, storage or disposal of contaminated material or property.

SECTION 9: TERMINATION OF EMERGENCY STATUS

The terms and conditions imposed by this Ordinance shall terminate upon a declaration by the Emergency Policy Group that the state of local emergency has ended.

Nothing in this Ordinance shall be construed to limit the authority of the Emergency Policy Group to declare or terminate a state of local emergency or to limit the authority of the County Administrator to take any action to alleviate or address any emergency situation.

SECTION 10: PENALTIES

(a) Any person, firm or corporation who violates or refuses to comply with any section of this Ordinance, or the emergency measures which may be effectuated pursuant to this Ordinance, shall be prosecuted in the name of the State in the same manner as misdemeanors are prosecuted and upon conviction, shall be subject to fines and/or imprisonment, as set forth in Section 125.69, Florida Statutes.

(b) Each day of continued violation or noncompliance shall constitute a separate offense.

(c) In addition to the foregoing, the Board of County Commissioners may suspend or revoke the license of any licensee of Hillsborough County found guilty of violating any provision of this Ordinance, or the emergency measures which may be effectuated pursuant to

this Ordinance.

(d) Hillsborough County shall have the authority to shut off or disconnect water service to any residence, business, commercial establishment or other users of water which use fresh water during an emergency for a purpose other than cooking, drinking or bathing.

(e) Nothing herein contained shall prevent the County from taking such other lawful action in law and equity as may be necessary to remedy any violation or refusal to comply with this Ordinance or the emergency provisions which may be effectuated pursuant to this Ordinance, including but not limited to:

- (1) Injunctive and/or declaratory relief in a court of competent jurisdiction.
- (2) Any action to recover any and all damages that may result from a violation of this Ordinance.
- (3) Any other action or enforcement method allowable by law.

SECTION 11: SEVERABILITY

If any section, subsection, sentence, clause, provision, or part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision and the validity of the remaining portions of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 12: LIBERAL CONSTRUCTION

This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed to be in the best interest of the public health, safety and welfare of the citizens and residents of Hillsborough County, Florida. The provisions of this Ordinance shall

supersede any existing provisions of any ordinance of Hillsborough County, Florida, which conflict with any provisions set forth herein.

SECTION 13: REPEAL

Hillsborough County Ordinance No. 94-9 is hereby repealed.

SECTION 14: EFFECTIVE DATE

This Ordinance shall take effect upon official acknowledgment of receipt of its filing with the Florida Secretary of State.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, Pat Frank, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Hillsborough County, Florida, at its meeting of June 7 2006, as the same appears on the record in Minute Book of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 8th day of June 2006.

PAT FRANK, CLERK

By: M. Quirk Dixon
Deputy Clerk

APPROVED BY COUNTY ATTORNEY
AS TO FORM AND LEGAL SUFFICIENCY

By: [Signature]





FLORIDA DEPARTMENT OF STATE
Sue M. Cobb
Secretary of State
DIVISION OF LIBRARY AND INFORMATION SERVICES

June 15, 2006

Gail M. Letzring, Manager-BOCC Records
Clerk of the Circuit Court
Hillsborough County
Post Office Box 1110, 12th Floor
Tampa, Florida 33601

Dear Ms. Letzring:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated June 8, 2006 and certified copy of Hillsborough County Ordinance No. 06-13, which was filed in this office on June 9, 2006.

Sincerely,

Liz Cloud
Program Administrator

LC/mp

STATE LIBRARY OF FLORIDA
R.A. Gray Building • Tallahassee, Florida 32399-0250 • (850) 245-6600
FAX: (850) 488-2746 • TDD: (850) 922-4085 • <http://www.dos.state.fl.us>
 LEGISLATIVE LIBRARY SERVICE RECORDS MANAGEMENT SERVICES FLORIDA STATE ARCHIVES
(850) 488-2812 • FAX: (850) 488-9879 (850) 487-2180 • FAX: (850) 413-7224 (850) 245-6700 • FAX: (850) 488-4894
 ADMINISTRATIVE CODE AND WEEKLY
(850) 245-6270 • FAX: (850) 245-6282

RECEIVED
THE BOARD (B)

2006 JUN 19 PM 2:31

RECEIVED

3019

THE TAMPA TRIBUNE

Published Daily

Tampa, Hillsborough County, Florida

State of Florida }
County of Hillsborough } ss.

Before the undersigned authority personally appeared C. Pugh, who on oath says that she is the Advertising Billing Supervisor of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of advertisement being a

LEGAL NOTICE IN THE TAMPA TRIBUNE

NOTICE OF INTENT

in the matter of _____
was published in said newspaper in the issues of _____
*MAY 27, 2006

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

C. Pugh

Sworn to and subscribed by me, this 30 day of MAY, A.D. 2006

Personally Known or Produced Identification _____ Type of Identification Produced _____

Ana Maria Hodel

#1729230

Ana Maria Hodel
Commission # DD551367
Expires: MAY 11, 2010
WWW.AARONNOTARY.COM



NOTICE OF INTENT TO CONSIDER COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN:

NOTICE is hereby given that the Board of County Commissioners of Hillsborough County, Florida, intends to consider an ordinance for the purpose of amending the Code of Ordinances of Hillsborough County, Florida, to read as follows: **SECTION 200.01** In the Board of County Commissioners Board Room, County Center, Second Floor, 601 East Kennedy Boulevard, Tampa, Florida:

AN ORDINANCE RELATING TO PROVISIONS FOR LOCAL EMERGENCIES IN HILLSBOROUGH COUNTY, PROVIDING FOR DEFINITIONS, PROVIDING FOR CONDITIONS PRECEDENT, PROVIDING FOR DECLARATIONS OF A STATE OF LOCAL EMERGENCY, PROVIDING EMERGENCY MANAGEMENT POWERS OF THE EMERGENCY POLICE GROUP, AND OF THE COUNTY BOARD OF SUPERVISORS, ESTABLISHING SUBCATEGORICAL EVACUATION LEVELS; PROVIDING FOR HAZARDOUS MATERIALS INCIDENTS; PROVIDING FOR TERMINATION OF EMERGENCY STATUS; PROVIDING PENALTIES; SEVERABILITY; PROVIDING FOR LIBERAL CONSTRUCTION; AND REPEALING ORDINANCE NO. 8422 PROVIDING AN EFFECTIVE DATE.

ANY PERSON WHO MIGHT WISH TO APPEAL ANY DECISION MADE BY THE HILLSBOROUGH COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING ANY MATTER CONSIDERED AT THE PUBLIC HEARING OR MEETING IS HEREBY ADVISED THAT HE OR SHE WILL NEED A COPY OF THE PROCEEDINGS AND FOR SUCH PURPOSES THEY MAY NEED TO VISIT THE BOARD ROOM, COUNTY CENTER, SECOND FLOOR, 601 EAST KENNEDY BLVD., TAMPA, FL 33662.

TESTIMONY AND EVIDENCE UPON WHICH SUCH APPEAL IS TO BE BASED, ALL INTERESTED PARTIES MAY APPEAR AT THE ABOVE REFERENCED HEARING AND BE HEARD WITH PROPOSED ORDINANCE. A COPY OF THE PROPOSED ORDINANCE MAY BE INSPECTED BY THE PUBLIC AT THE CLERK'S OFFICE ON THE 12TH FLOOR OF THE COUNTY CENTER AT 601 E. KENNEDY BLVD., TAMPA, FL 33662.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS NEEDING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THESE PROCEEDINGS, AND ALSO THOSE SEEKING AN INTERPRETER, SHOULD CONTACT THE CITIZENS ACTION CENTER AT TELEPHONE NUMBER (813) 777-2600 NOT LATER THAN 48 HOURS PRIOR TO THE PROCEEDINGS.

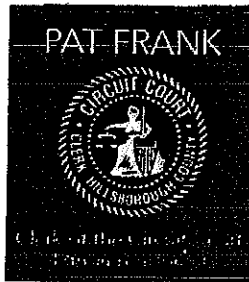
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS
Hillsborough County, Florida

13019 5/27/06

RECEIVED BY

JUN - 5 2006

COUNTY ATTORNEYS OFFICE
ACCOUNTANT



June 8, 2006

MS LIZ CLOUD CHIEF
BUREAU OF ADMINISTRATIVE CODE
DEPARTMENT OF STATE
500 SOUTH BRONOUGH ST RA GRAY BLDG RM 101
TALLAHASSEE FL 32399-0250

Re: Ordinance #06-13
Hillsborough County Emergency Ordinance; Relating to Provisions for Local
Emergencies in Hillsborough County; Repealing Ordinance 94-9

Dear Ms. Cloud:

Pursuant to the filing requirements of Florida Statutes 125.66, we are forwarding (by Federal Express) an executed original of Hillsborough County Ordinance #06-13, adopted by the Board of County Commissioners on June 7, 2006. It is respectfully requested that you provide this office with the required official acknowledgment of your receipt and filing of said ordinance.

Sincerely,

By: Gail M. Letzring
Gail M. Letzring,
Manager, BOCC Records

md
Attachment
Federal Express AB#8244 1947 0278

FedEx USA Airbill

EXPRESS

8244 1947 0278

1 From Please print and postmark
 Date 6/8/06 Sender's FedEx Account Number 1140-8846-3

Sender's Name
 BOCC RECORDS PROCESSING
 CLERK CIRCUIT COURT 12TH FL
 601 EAST KENNEDY BLVD
 TAMPA FL 33602

City TAMPA State FL ZIP 33602

2 Your Internal Billing Reference (130) Ord# 06-13

3 To Recipient's Name
 LIZ CLOUD PROGRAM ADMIN
 FLORIDA DEPARTMENT OF STATE
 R A GRAY BLDG
 500 S BRONOUGH STREET ROOM 101
 TALLAHASSEE FL 32399-0250

City _____ State _____ ZIP _____

Peel and Stick FedEx Labels

See back for application instructions
 Questions? Visit our Web site at www.fedex.com
 or call 1-800-Go-FedEx® (800)463-3339
 By using this Airbill you agree to the service conditions on the back of this Airbill and in our current Service Guide, including terms that may not be listed here.

0162406685



4a Express Package Service
 FedEx Priority Overnight
 FedEx Standard Overnight
 FedEx 2DaySM
 FedEx Express SaverSM
 FedEx 1Day FreightSM
 FedEx 2Day FreightSM
 FedEx 3Day FreightSM

5 Packaging
 FedEx EnvelopelighterSM
 FedEx PakSM
 Other Pkg.
 *Tactical code: 114 850

6 Special Handling
 SAT/DAY Delivery
 RESTRICTIONS
 HOLD Monday
 RESTRICTIONS
 HOLD Saturday
 RESTRICTIONS

7 Payment Bill to:
 Sender
 Recipient
 Third Party
 Credit Card
 Cash/Check

8 Release Signature
 Total Packages _____ Total Weight _____ Total Declared Value \$ _____
 Total Packages _____ Total Weight _____ Total Declared Value \$ _____

By signing you authorize us to deliver this shipment without obtaining a signature and agree to indemnify and hold us harmless from any resulting loss.

402

THIS AIRBILL BELONGS TO THE PACKAGE

**FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
(CODRS) CODING FORM**

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (850)245-6270 or Suncom 205-6270.

COUNTY: (Hillsborough) COUNTY ORDINANCE # (06 - 13)
(c.g., 00-001)

PRIMARY KEYFIELD
 DESCRIPTOR: (Local Emergency Declarations)

SECONDARY KEYFIELD
 DESCRIPTOR: (Emergency Management)

OTHER KEYFIELD
 DESCRIPTOR: (-----)

ORDINANCE DESCRIPTION: (Local Emergencies)
(25 characters maximum including spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT # 1: (-----) AMENDMENT # 2: (-----)

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: (Ord. # 94-9) REPEAL # 3: (-----)

REPEAL # 2: (-----) REPEAL # 4: (-----)

(Others repealed: List all that apply): _____

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: (-----)

KEYFIELD 1 CODE: (-----) KEYFIELD 2 CODE: (-----)

KEYFIELD 3 CODE: (-----) Rev. 4/10/01