A PROCLAMATION OF THE TOWN OF MELBOURNE BEACH, FLORIDA, DECLARING A LOCAL STATE OF EMERGENCY

WHEREAS, on November 2, 2026, Governor DeSantis issued Executive Order 26-227 declaring a state of emergency for seven counties, including Brevard County, and the Town has complied with all of its mandatory reporting and coordination requirements under Chapter 252, Florida Statutes, and will continue to do so during this state of local emergency; and

WHEREAS, Brevard County is currently under a state of emergency pursuant to Executive Order 26-227, as amended; and

WHEREAS, additionally, the Town of Melbourne Beach (the "Town") is currently under a Flood Watch and Brevard County is currently under a Flash Flood Warning; and

WHEREAS, the Town is still dealing with localized damage and flooding as a result of the effects of the rainfall event occurring November 1, 2026 through November 3, 2026; and

WHEREAS, the amount of rainfall already received has resulted in localized flooding in areas within the Town and constitutes a serious threat of injury, loss of life, damage to property, disruption of services, and impairment of the public health, safety and welfare of the inhabitants of the Town; and

WHEREAS, the National Weather Service in Melbourne estimates between 5 and 7 inches of rainfall is possible over the next 36 hours, which will result in additional localized flooding and damage within the Town; and

WHEREAS, the adverse conditions are imminent or already occurring within the Town and may cause widespread damage to public infrastructure, private property, utilities, roadways, stormwater systems and may hamper normal government functions; and

WHEREAS, the Town of Melbourne Beach has continued to monitor the increased risk to the community and is preparing to execute its Emergency Preparedness Plan and establish an emergency command center, if necessary; and

WHEREAS, Chapter 252, Florida Statutes, grants political subdivisions authority to declare a state of local emergency; and specifically, Section 252.38(3)(a), *Florida Statutes*, provides the ability for local governing bodies to waive certain formalities and take whatever actions necessary to preserve the health, safety, and welfare of the community; and

WHEREAS, per the Town's *Code of Ordinances*, Chapter 16, the Mayor of the Town of Melbourne Beach "shall have the right to declare civil emergency by proclamation" as a result of any natural disaster, including flooding; and

WHEREAS, after declaration of an emergency, the Mayor may, in the interest of public safety and welfare, issue orders as declared in said Chapter 16 which are imminently necessary to protect the public health, safety, and welfare; and

WHEREAS, per the Town's *Code of Ordinances*, Chapter 16, it is in the interest of public health, safety, and welfare to prohibit or limit the public's use of public facilities including but not limited to, parks, government buildings, rights-of-way, and beaches; and

WHEREAS, this emergency proclamation shall be effective for up to 7 days unless terminated in accordance with Section 16-4, Town *Code of Ordinances*.

NOW THEREFORE, I, Bruce Pickett, Mayor of the Town of Melbourne Beach, Brevard County, Florida, hereby declare the existence of a civil emergency in the Town of Melbourne Beach, Florida pursuant to Chapter 16 of the Town of Melbourne Beach *Code of Ordinances* and Section 252.38(3)(a), *Florida Statutes*.

Dated this 19th day of November, 2026, at 6:00 a.m.

Bruce Pickett, Mayor

ATTEST:

Cydnee Jones

Cyd Jones, Town Clerk