FLAGLER COUNTY EMERGENCY ORDER NO. 2020-02

AN EMERGENCY ORDER OF THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING THE USE OF ELECTRONIC DOCUMENTS AND SIGNATURES

WHEREAS, Flagler County is under a Federal, State, and Local State of Emergency for the COVID-19 virus pursuant to Executive Orders of the Governor for the State of Florida (EO Nos. 20-51 and 20-52) and Flagler County Proclamation dated March 16, 2020; and

WHEREAS, Flagler County’s Proclamation, in accordance with Chapter 252, Florida Statutes, and Section 12-34 of the Flagler County Code of Ordinances authorizes the County to take all necessary action and issue any necessary orders to protect human health and safety; and

WHEREAS, the President of the United States in conjunction with the U.S. Department of Health & Human Services through its Centers for Disease Control and Prevention (CDC) has issued community mitigation strategies which recommend “social distancing”; and

WHEREAS, the County has restricted the access or completely closed County facilities and is implementing procedures to limit the spread of pathogens, including by holding public meetings through communications media technology pursuant to the Governor’s Executive Order 20-69; and

WHEREAS, neither the Governor’s Executive Order nor this Emergency Order suspend the requirements of Florida’s Government in the Sunshine Laws; and

WHEREAS, Florida’s Uniform Electronic Transaction Act, Section 668.50, Florida Statutes, has guaranteed electronic records and signatures the same force and effect as handwritten ink signatures, with limited exceptions inapplicable to routine County business, for the past two decades.

NOW THEREFORE, it is hereby ordered:

Section 1. Electronic Documents and Signatures.
(a) All documents which must be furnished to the Clerk of Court in the conduct of County business may be transmitted electronically. County staff will utilize electronic mail or a file transfer protocol site to transmit electronic documentation to the Clerk of Court staff.

(b) Electronic signatures will have the same force and effect as wet ink signatures in transactions of County business. The County IT Director and Finance Director will ensure sufficient protections are in place to prevent forged signatures.
Section 2. Effective Date.
This Emergency Order will take effect upon filing with the Clerk of Courts of Flagler County in accordance with Section 252.46(2), Florida Statutes, and shall remain in effect until modified or terminated by subsequent order or until the Local State of Emergency for COVID-19 expires or is rescinded.

DONE AND ORDERED, this 25th day of March 2020.

Jerry Cameron, County Administrator

Concurrence:

Jonathan Lord, Emergency Management Chief

Approved As To Form:

Al Hadeed, County Attorney