

RESOLUTION NO. 2026-R-23

**DECLARATION OF LOCAL STATE OF EMERGENCY
Railroad Tie Fire on CSX Property in the City of Dunnellon**

WHEREAS, in the early morning hours of Sunday, February 1, 2026, Marion County Fire Rescue and the Marion County Division of Emergency Management were dispatched to the area of East McKinney Avenue and North Williams Street, more particularly identified by the Marion County Property Appraiser as Parcel 33638-000-02, located in the City of Dunnellon, Marion County, Florida, in response to a fire involving large stockpiles of creosote treated railroad ties that were being stored on this Parcel, known to be owned by CSX Transportation, Inc.; and

WHEREAS, the fire involving the large stockpiles of creosote treated railroad ties resulted in hazardous conditions, including but not limited to heavy black smoke and ash containing airborne contaminants, threats to public health and safety, inclusive of evacuation of nearby homes and businesses and the likelihood of significant environmental impacts, as well as disruptions of normal community activities; and

WHEREAS, the magnitude of this incident required and still requires the coordination and use of local emergency resources and assets, inclusive of state and other external agencies; and

WHEREAS, it is incumbent upon Marion County, Florida, a political subdivision of the State of Florida, in cooperation and coordination with the City of Dunnellon, Florida, a political subdivision of the State of Florida, to take every prudent measure to assist and to ensure the safety and well-being of its citizens and their property located in Dunnellon, Marion County, Florida; and

WHEREAS, Florida Statutes § 252.38 (3), concerning the emergency management powers of political subdivisions, provides that “[t]he duration of each state of emergency declared locally is limited to 7 days; it may be extended, as necessary, in 7-day increments;” and

WHEREAS, the State Emergency Management Act [§§ 252.31-252.60, Fla. Stat.] defines “Emergency as “any occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, which results in or may result in substantial injury or harm to the population or substantial damage to or loss of property.” See, § 252.34(4), Fla. Stat.; and

WHEREAS, it is in the best interests of the citizens of Marion County for the County to aid, employ and take prudent action as is deemed necessary pursuant to the State Emergency Management Act in order to ensure the health, safety and welfare of the community and minimize and remediate the hazards and damage created by an active fire fueled by creosote treated railroad ties; and

WHEREAS, the Board of County Commissioners convened at a duly noticed public meeting on February 3, 2026, for consideration of this Resolution; and

WHEREAS, pursuant to the powers vested in the Board of County Commissioners by Chapter 252, Florida Statutes,

NOW, THEREFORE, BE IT RESOLVED BY the Board of County Commissioners of Marion County as follows:

SECTION 1. A state of local emergency is hereby declared immediately, today, February 3, 2026, due to the active fire involving stockpiles of creosote treated railroad ties.

SECTION 2. This State of Local Emergency is declared for a period of seven (7) days from the date of this Resolution and may be altered or rescinded during the continued existence of the local emergency by the issuance of subsequent directives or orders of the Chairman of the Board after consultation with the Marion County Director of Emergency Management.

SECTION 3. During this State of Local Emergency, Marion County may implement any and all emergency powers and restrictions enumerated in Florida Statutes and its Emergency Plan, in concert with and coordination with the City of Dunnellon and the Marion County Director of Emergency Management, as are necessary for the preservation of the health, welfare and safety of the people in Marion County.

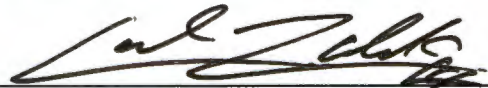
SECTION 4. All agencies will provide the necessary assistance as requested by the City of Dunnellon through its Declaration of a Local State of Emergency (Proclamation PRO2026-01), and as determined by the Marion County Director of Emergency Management.

SECTION 5. All departments and agencies of Marion County shall perform emergency functions as designated in the adopted Marion County Emergency Management Plan and shall make available other resources of such departments and agencies as necessary to effectuate this Resolution.

SECTION 6. This Resolution shall become effective immediately upon adoption.

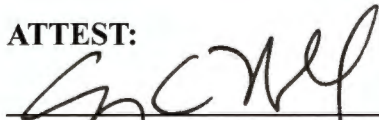
DULY ADOPTED this 3rd day of February, 2026.

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**



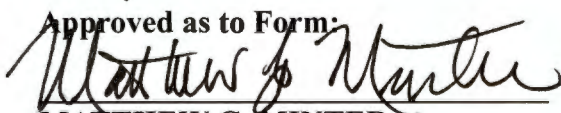
CARL ZALAK, III, CHAIRMAN

ATTEST:



**GREGORY C. HARRELL,
CLERK OF COURT**

Approved as to Form:



**MATTHEW G. MINTER,
COUNTY ATTORNEY**