CHAPTER 5: CIVIL DEFENSE AND CIVIL EMERGENCIES
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ARTICLE I. IN GENERAL

5-1. RESERVED.
ARTICLE II. DISASTER AND EMERGENCY RESPONSE

DIVISION 1. GENERALLY

' 5-16  DEFINITION.

For the purpose of this article, the following definition shall apply unless the context clearly indicates or requires a different meaning.

DISASTER AND EMERGENCY RESPONSE. The preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize, and repair injury and damage resulting from fire, flood, tornado, other natural or human-caused disasters, riot, enemy attack, sabotage, explosion, power failure, energy shortages, transportation emergencies or other causes, and the threatened or impending happenings of any of the above, and in order to insure that preparations and response for this state will be adequate to deal with disaster or emergencies or the threat of same. These functions include, without limitation, fire fighting services, police service, medical and health services, ambulance service, rescue, search and rescue, engineering, warning services, communications, radiological, chemical and other monitoring, decontamination and neutralization, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, plant protection, temporary restoration of public utility services, and other functions related to effective reaction to a disaster or emergency situation, together with all other activities necessary or incidental to the preparation for and carrying out of the foregoing functions.
(Ord. passed 4-11-1968)
Statutory reference:
Similar provisions, see KRS Ch. 39B

DIVISION 2. ORGANIZATION

' 5-24  ESTABLISHED.

There is hereby established the city=s Organization for Disaster and Emergency Response.
(Ord. passed 4-11-1968)
Statutory reference:
Local organization for disaster and emergency response required, see KRS 39B.010
' 5-25 COMPOSITION.

The Organization for Disaster and Emergency Response of the city will consist of the officers and employees of the city plus the volunteer forces as are enrolled to aid them during an emergency and all groups, organizations and persons who by agreement in accordance with applicable law are charged with duties necessary for the protection of life and property in the city.
(Ord. passed 4-11-1968)

' 5-26 CIVIL DEFENSE DIRECTOR GENERALLY.

(A) The Office of Director of the city=s Organization for Disaster and Emergency Response is hereby created. The Director shall be appointed by the Mayor, with the approval of the City Council.

(B) The Director shall:

1. Represent the Mayor on all matters pertaining to civil defense planning and organization;
2. Develop a comprehensive city civil defense plan. This plan shall provide for the effective mobilization of necessary public resources of the city, integration of resources provided by state or federal governments and a special procedure for utilization of private property when this becomes necessary and is authorized;
3. Coordinate the preparation and implementation of civil defense plans with appropriate city employees and city officials as applicable; and
4. Be directly responsible to the Mayor during periods of emergency for the direction and supervision of all city civil defense forces.

(C) During periods of emergency, the Director shall, with authorization by the Mayor, obtain vital supplies and equipment which are not otherwise available from city resources, but are needed for the protection of life and property. With the Mayor=s authorization, the Director may obligate the city to pay for the supplies and equipment.
(Ord. passed 4-11-1968)

Statutory reference:
Similar provisions, see KRS 39B.010
ARTICLE III. CIVIL EMERGENCIES

' 5-38  DEFINITIONS.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CIVIL EMERGENCY. A riot or unlawful assembly characterized by the use of actual force or violence, or any threat to use force if accompanied by immediate power to execute it by three or more persons acting together without authority of law.

CURFEW. A prohibition against any person walking, running, loitering, standing or motoring upon any alley, street, highway, sidewalk, public property or vacant premises, except officers or persons designated as not subject to the CURFEW.

(Ord. passed 4-11-1968)

' 5-39  AUTHORITY OF MAYOR TO PROCLAIM CIVIL EMERGENCY.

When, in the judgment of the Mayor, or acting Mayor, a civil emergency is deemed to exist, he or she shall forthwith proclaim, in writing, its existence.

(Ord. passed 4-11-1968)

' 5-40  POWER OF MAYOR TO DECLARE CURFEW.

After proclamation of a civil emergency by the Mayor, or acting Mayor, he or she may order a general curfew applicable to the geographical areas deemed advisable and applicable during such hours of the day or night as deemed necessary in the interest of the public safety and welfare.

(Ord. passed 4-11-1968)

' 5-41  OTHER POWERS OF MAYOR.

After the proclamation of a civil emergency, the Mayor, or acting Mayor, may also, in the interest of public safety and welfare:

(A) Order the discontinuance of the sale, distribution or giving away of gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle;

(B) Order the closing of gasoline stations and other establishments, the chief activity of which is the sale, distribution or dispensing of liquid flammable or combustible products;
(C) Order the discontinuance of the sale, distribution and dispensing or giving away of any firearms or ammunition of any character whatsoever;

(D) Order the closing of any or all establishments or portions thereof, the chief activity of which is the sale, distribution, dispensing or giving away of firearms or ammunition; and

(E) Issue such other orders as are eminently necessary for the protection of life and property.
(Ord. passed 4-11-1968)

' 5-42  LENGTH OF CURFEW OR OTHER ORDERS OF MAYOR.

The curfew or orders authorized in this article shall remain in effect until rescinded by the Mayor, or acting Mayor, but for a period not to exceed 72 hours from the time they became effective unless approved by the City Council.
(Ord. passed 4-11-1968)

' 5-43  NOTICE OF PROCLAMATION.

After proclamation of a civil emergency, the Mayor or acting Mayor shall forthwith provide for notice thereof to be given to members of the City Council, and to the public by the best available means; provided, however, that the proclamation shall still be effective immediately.
(Ord. passed 4-11-1968)

' 5-44  OBEDIENCE TO ORDERS OF MAYOR REQUIRED.

It shall be unlawful for any person to fail to obey any curfew proclaimed by the Mayor or acting Mayor or any other order promulgated pursuant to this article.
(Ord. passed 4-11-1968)