

ORDINANCE NO. 19-29

AN ORDINANCE PURSUANT TO KRS 39A.010, KRS 39A.020, KRS 39A.030, DEFINING THE POWER OF THE MAYOR OR HIS DEFINED DESIGNATE TO DECLARE A STATE OF EMERGENCY AND EXPANDED POWERS OF THE MAYOR OR HIS DESIGNATE DURING A DECLARED STATE OF EMERGENCY.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

In the event of the occurrence or threatened or impending occurrence of any of the situations or events contemplated by KRS 39A., 39A.020, or 39A.030, which in the judgment of the Mayor is of such severity or complexity as to require the exercise of extraordinary emergency measures, The Mayor or his or her designees as provided by this ordinance, may declare a state of emergency exists, and thereafter, subject to any orders of the Governor, shall have and may exercise for the period as the state of emergency exists or continues, the following emergency powers:

- (a) To enforce all laws and administrative regulations relating to disaster and emergency response and to direct all local disaster and emergency response forces and operations in the affected county, city, urban-county, or charter county;
- (b) To exclude all nonessential, unauthorized, disruptive, or uncooperative personnel from the scene of the emergency, and to command persons or groups of persons at the scene to disperse. A person who refuses to leave an area in which a written order of evacuation has been issued in accordance with a written declaration of emergency or a disaster may be forcibly removed to a place of safety or shelter, or may, if this is resisted, be arrested by a peace officer. Forcible removal or arrest shall not be exercised as options until all reasonable efforts for voluntary compliance have been exhausted;
- (c) To declare curfews and establish their limits;
- (d) To order immediate purchase or rental of, contract for, or otherwise procure, without regard to procurement codes or budget requirements, the goods and services essential for protection of public health and safety or to maintain or to restore essential public services; and
- (e) To request emergency assistance from any government or special district and, through the Governor, to request emergency assistance from any state agency and to initiate requests for federal assistance as are necessary for protection of public health and safety or for continuation of essential public services.

The Mayor may designate his Chief of Staff, the City Attorney, or any department head as his designee to declare a state of emergency and to employ the powers herein.

FIRST READING NOVEMBER 11, 2019

SECOND READING NOVEMBER 25, 2019

Approved: 
Mayor

Attest: 
City Clerk