

ORDINANCE NO. 19 -68

By: Bull

To give the Mayor and other city officials certain rights in the event of emergencies, and to declare an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. When there is a tumult, riot, mob or body of people acting together with the intent to commit a felony or to do or offer violence to person or property; or by force and violence to break or resist the law; or in the event of a flood, fire, snowstorm, or any other disaster affecting life and property and which substantially impairs the functioning of the city government and its ability to protect the lives and property of the people; any of the following named officers, acting in the order herein designated when the previously named officer or officers are absent from the city or are unavailable, or incapable of so doing, are authorized to proclaim the existence of a state of emergency in the City of Bexley or within any prescribed area or areas thereof; the Mayor, the President of City Council, the Chief of the Division of Police.

Section 2. When a state of emergency has been proclaimed as provided in Section 1 hereof, any of the officers named therein, acting in accordance therewith, is authorized to issue such proclamations as he deems necessary to protect life and property. Said proclamation may include, but is not limited to, the establishment of curfew; prohibiting the sale of beer or intoxicating liquor; prohibiting the sale of firearms; restricting or prohibiting movement into, out of, or within the affected area or areas; or prohibiting or limiting the assemblage of persons.

Section 3. No person shall fail to obey the lawful order of any police officer, militiaman or other law enforcement officer; and no person shall in any way intentionally interfere with any such police officer, militiaman or other law enforcement officer, or fireman, rescue personnel, medical personnel, or other authorized person in the protection or preservation of life or property during the existence of a state of emergency as proclaimed, as provided in Section 1 hereof.

Section 4. Any person convicted of violating any proclamation issued in accordance with Section 2 hereof, or of Section 3 hereof, shall be guilty of a misdemeanor and upon conviction thereof may be fined not more than \$1,000.00 and/or imprisoned for not more than one year, or both.

Section 5. Should Sections 1, 2, 3 or 4 hereof or any part thereof, be declared to be unconstitutional or invalid, such decision shall not affect the validity of other sections or any part thereof not so declared unconstitutional or invalid.

Section 6. This ordinance is an emergency measure, necessary for the public peace, health and safety by reason of the necessity of providing the Mayor and other officials with rights in the event of an emergency which may be imminent, and said ordinance shall go into immediate force and effect upon its passage and approval by the Mayor.

Passed: May 24, 1968.

Attest:

Haven DePauw
Acting Clerk of Council

J. Paul Cribble
President of Council

Approved: 5/24, 1968

R. L. McClure
MAYOR

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