

131.01 – EMERGENCY POWERS

~~Whenever the Mayor determines that an emergency exists as a result of any natural disaster or man-made calamity, or clear and present danger thereof, or riot, insurrection, mob action or other civil disturbance causing danger of injury or damages to persons or property, the Mayor shall have power to impose by proclamation any or all of the following regulations necessary to restore the peace and order of the Municipality:~~

- ~~(a) Prohibit or limit the number of persons who may gather or congregate upon the public highways, public sidewalks or any outdoor place, or in any theater, restaurant, place of public assembly or commercial establishment to which the public has access;~~
- ~~(b) Restrict or prohibit movement within, above or beneath the area or areas which, in his judgment, are imperiled by the public danger or emergency;~~
- ~~(c) Establish a curfew during such hours of the day or night as he deems advisable and prohibit persons from being out of doors during such curfew;~~
- ~~(d) Prohibit or restrict the retail sale, distribution or giving away of gasoline or other liquid, flammable or combustible products in any container other than the gasoline tank properly affixed to a motor vehicle.~~
- ~~(e) Order the closing of gasoline stations and other establishments engaged in the retail sale, distribution or dispensing or giving away of liquid, flammable or combustible products;~~
- ~~(f) Prohibit or restrict the sale, distribution, dispensing or giving away of any firearms or ammunition of any character whatsoever;~~
- ~~(g) Order the closing of any and all establishments or portions thereof engaged in the sale, distribution, dispensing or giving away of firearms and/or ammunition;~~
- ~~(h) Prohibit or restrict the carrying or possession of a weapon or any object intended to be used as a weapon, including, but not limited to, firearms, bows and arrows, air rifles, sling shots, knives, razors, broken bottles, fire bombs, missiles of any kind, clubs, blackjacks, billies, chains or similar items on the public streets or public sidewalks or in any public park or square or any other public place;~~
- ~~(i) Prohibit or restrict the retail sale, distribution, dispensing or giving away of acids, caustics or any chemicals or other substances capable of being used singly or in combination to cause injury or damage to persons or property;~~
- ~~(j) Prohibit or restrict the retail sale, distribution, dispensing or giving away of any beer or alcoholic beverage;~~
- ~~(k) Call upon regular and auxiliary law enforcement agencies and organizations within or without the Municipality to assist in preserving and keeping the peace within the Municipality.~~

~~(l) Restrict, control, and/or discontinue water service to residential and commercial consumers if a water distribution problem has been identified by the City of Columbus or a state of water emergency proclaimed by the Mayor of Gahanna.~~

~~(m) Prohibit on-street parking of vehicles on City streets to facilitate snow or debris removal following a storm or other weather related event.~~

~~131.02 – STATE OF EMERGENCY PROCLAMATION.~~

~~When the Mayor determines that an emergency exists, as set forth in Section 131.01, he shall forthwith proclaim in writing the existence of the same and the time of its inception, and shall issue a proclamation thereof to the public through the news media and such other means of dissemination as he deems advisable.~~

~~(Ord. 255-2001. Passed 12-17-01.)~~

~~131.03 – STATE OF EMERGENCY TERMINATION, EXTENSION.~~

~~Any emergency proclaimed in accordance with the provisions of this Chapter shall terminate after 72 hours of the issuance thereof or upon the issuance of a proclamation determining an emergency no longer exists, whichever occurs first. However, such emergency may be extended for such additional periods of time as determined necessary by the Mayor.~~

(A) The Mayor shall have and exercise all powers and duties vested by law in mayors and all other executive officers of municipalities in the event of riot, civil commotion, enemy attack, flood, fire, snowstorm, breakdown of utility services, or other disaster or emergency which threatens the safety or health of the residents of the city. Such powers shall include, but not be limited to, and the making of requests, in the name of the city, to the governor, civil defense organizations, Red Cross and other public or private agencies for the assistance in the enforcement of law or the rendering of other aid needed in such emergency.

(B) In addition to the powers outlined in C.O. § 131.01(A), in the event of any of the emergencies mentioned therein, the Mayor is authorized to proclaim a state of emergency in the city or any area therein. In the absence or disability of the Mayor, the authority to proclaim a state of emergency shall devolve upon the following officials, if available, in the order named: President of council or vice president of council.

(C) When a state of emergency has been proclaimed under C.O. § 131.01(B), any officer named therein is authorized to issue such proclamations as he/she deems necessary to protect life and property.

(D) No person shall violate a proclamation issued under C.O. § 131.01(B) or (C). 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 under this section.

(E) In order to continue or provide necessary city services, facilitate provisions of emergency shelter, and otherwise assist in alleviating the distress of disaster victims, the Mayor is granted emergency powers to suspend the enforcement of such provisions of the Codified Ordinances, as he/she deems necessary, including provisions of the housing, building, zoning, health and other codes and rules and regulations adopted thereunder, for a period not to exceed three (3) months, or less, if terminated earlier by motion, resolution or ordinance of Council. The exercise of the powers granted hereby is not dependent upon the proclamation provided for in this section, but may be exercised upon a separate proclamation by the Mayor, forwarded immediately to the city council. Thereupon, the Mayor may, by his/her executive order directed to the appropriate city officials, suspend appropriate provisions of the Codified Ordinances, as well as rules and regulations which may have been adopted pursuant thereto. ~~in order to continue, or provide necessary city services, facilitate provisions of emergency shelter, and otherwise assist in alleviating the distress of disaster victims.~~

(F) Council may, by vote of a majority of its members without hearing and notice and upon motion, terminate any proclamation or executive order issued under this section.

(G) Any person convicted of violating any proclamation issued in accordance with this section shall be guilty of a misdemeanor and upon conviction thereof may be fined not more than one thousand dollars (\$1,000.00) nor imprisoned for not more than six (6) months, or both.