

## CHAPTER 34: CIVIL EMERGENCIES AND EMERGENCY MANAGEMENT

### Section

34.01 Interim emergency succession

34.99 Penalty

### § 34.01 INTERIM EMERGENCY SUCCESSION.

(A) *Purpose.* Due to the existing possibility of the need to make a declaration of a state of emergency, it is found urgent and necessary to insure the continuity of duly elected and lawful leadership of the city to provide for the continuity of the government and the emergency interim succession of key governmental officials, by providing a method for temporary emergency appointments to their offices.

(B) *Succession to local offices.* In the event of a nuclear attack upon the United States or a natural disaster affecting the vicinity of the city, the Mayor, Council and City Clerk-Treasurer shall be forthwith notified by any one of the persons and by any means available to gather at the City Hall. In the event that safety or convenience dictate, an alternative place of meeting may be designated. Those gathered shall proceed as follows:

(1) By majority vote of those persons present, regardless of number, they shall elect a Chairperson and Secretary to preside and keep minutes, respectively;

(2) They shall review and record the specific facts relating to the nuclear attack or natural disaster and injuries to persons or damage to property already done, or the imminence thereof;

(3) They may, based on the facts, declare a state of emergency;

(4) By majority vote of those persons present, regardless of number, they shall fill all positions on the Council, (including the Office of Mayor) of those persons upon whom notice could not be served or who are unable to be present; and

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(5) The interim successors shall serve until the time as the duly elected official is again available and returns to his or her position, or the state of emergency has passed and a successor is designated and qualifies as required by law, whichever shall occur first.

(C) *Duties of the Interim Emergency Council.* The Interim Emergency Council shall exercise the powers and duties of its offices and appoint other key government officials to serve during the emergency.

(Prior Code, § 2.10)

**§ 34.99 PENALTY.**

Any person violating any provision of this chapter shall be subject to § 10.99.