**CHAPTER 16: CIVIL EMERGENCIES**

**CHAPTER** **16:** **CIVIL EMERGENCIES**

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***Cross-reference:***

*Administration, see Ch. 2*

*Fire prevention and protection, see Ch. 20*

*Law enforcement, see Ch. 22*

***Statutory reference:***

*Municipal emergency management, see G.S.  166A‑7*

*Powers of municipalities to enact ordinances to deal with states of emergency, see G.S.  14‑288.12*

***ARTICLE I. IN GENERAL***

**16‑1 PENALTY.**

The violation of any provision of this chapter or of any provision of any restriction imposed by any proclamation authorized by this chapter shall be punishable by a civil penalty of $1,000, as provided by  1‑6.

(2001 Code,  16‑1) (Ord. passed 11‑27‑1969)

**16‑216‑30 RESERVED.**

***ARTICLE II. STATE OF EMERGENCY***

***Statutory reference:***

*North Carolina Emergency Management Act, see G.S.  166A‑1 et seq*

*Riots and civil disorders, see G.S.  14-288.12 et seq.*

**16‑31 POWERS DURING A STATE OF EMERGENCY.**

The Mayor shall have the power to proclaim the existence of a state of emergency and to impose certain restrictions during the emergency, according to G.S.  14‑288.1 et seq. and G.S.  166A‑1 et seq.

(1970 Code,  3‑11; 2001 Code,  16‑31)

**16‑32 WHEN EMERGENCY EXISTS.**

A state of emergency shall be deemed to exist whenever, during times of great public crisis, disaster, rioting, catastrophe or similar public emergency, for any reason, municipal public safety authorities are unable to maintain public order or afford adequate protection for lives or property.

(1970 Code,  3‑11.1; 2001 Code,  16‑32)

**16‑33 WHEN A STATE OF EMERGENCY SHALL BE DEEMED TO EXIST.**

When a state of emergency shall be deemed to exist under  16‑32, the Mayor shall issue a public proclamation declaring to all persons the existence of a state of emergency.

(1970 Code,  3‑11.2; 2001 Code,  16‑33)

**16‑34 LIMITATION OF PROCLAMATION.**

The Mayor is authorized and empowered to limit, by the proclamation, the application of all or any part of the restrictions to any area specifically designated or described within the corporate limits of the town and to specific hours of the day or night, and to exempt from all or any part of the restrictions law enforcement officers, firefighters and other public employees, doctors, nurses, employees of hospitals and other medical facilities; on‑duty military personnel, whether state or federal; on duty employees of public utilities, public transportation companies; and newspaper, magazine, radio broadcasting and television broadcasting corporations operated for profit; and other classes of persons as may be essential to the preservation of public order and immediately necessary to serve the safety, health and welfare needs of the people within the town.

(1970 Code,  3‑11.3; 2001 Code,  16‑34)

**16‑35 END OF EMERGENCY.**

The Mayor shall proclaim the end of the state of emergency or all or any part of the restrictions imposed as soon as circumstances warrant or when directed to do so by the Board of Commissioners.

(1970 Code,  3‑11.4; 2001 Code,  16‑35)