

**TITLE 20**

**MISCELLANEOUS**

**CHAPTER**

1. CIVIC DEVELOPMENT COMMITTEE.
2. CIVIL EMERGENCIES.
3. EMERGENCY MANAGEMENT PROCEDURES.

**CHAPTER 1**

**CIVIC DEVELOPMENT COMMITTEE**

**SECTION**

20-101. Civic development committee.

**20-101. Civic development committee.** The civic development committee shall originate and/or review proposals, plans, or programs concerning matters of civic development, and shall make investigations and submit reports and/or recommendations to the board of mayor and aldermen on such matters. (1968 Code, § 12-102)

## CHAPTER 2

### CIVIL EMERGENCIES

#### SECTION

- 20-201. "Civil "emergency" and "curfew" defined.
- 20-202. Proclamation of civil emergency.
- 20-203. Curfew authorized.
- 20-204. Authority to issue other orders.
- 20-205. Exceptions to curfew.
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**20-201. "Civil "emergency" and "curfew" defined.** (1) A "civil emergency" is defined to be:

(a) A riot or unlawful assembly characterized by the use of actual force or violence or a threat to use force if accompanied by the immediate power to execute by three or more persons acting together without authority of law.

(b) Any natural disaster or man-made calamity including but not limited to flood, conflagration, cyclones tornado, earthquake, or explosion within the geographic limits of a municipality resulting in the death or injury of persons, or the destruction of property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare.

(c) The destruction of property, or the death or injury of persons brought by the deliberate acts of one or more persons acting either alone or in concert with others when such acts are a threat to the peace of the general public or any segment thereof.

(2) "Curfew" is hereby defined as a prohibition against any person or persons walking, running, loitering, standing or motoring upon any alley, street, highway, public property or vacant premises within the corporate limits of the municipality except persons officially designated to duty with reference to said civil emergency or those lawfully on the streets as defined hereinafter. (1968 Code, § 10-240)

**20-202. Proclamation of civil emergency.** When, in the judgment of the mayor a civil emergency as defined herein is determined to exist, he shall forthwith proclaim in writing the existence of same, a copy of which proclamation will be filed with the clerk of the municipality or if there be none, with the recorder. (1968 Code, § 10-240)

**20-203. Curfew authorized.** After proclamation of a civil emergency the mayor, he may order a general curfew applicable to such geographical areas of the municipality or to the municipality as a whole, as he deems advisable, and applicable during which hours of the day or night as he deems necessary in the interest of the public safety and welfare. Said proclamation and general curfew shall have the force and effect of law and shall continue in effect until rescinded in writing by the mayor but not to exceed fifteen (15) days. (1968 Code, § 10-240)

**20-204. Authority to issue other orders.** After proclamation of a civil emergency the

mayor at his discretion, in the interest of public safety and welfare:

- (1) Order the closing of all retail liquor stores.
- (2) Order the closing of all establishments wherein beer or alcoholic beverages are served.
- (3) Order the closing of all private clubs or portions thereof wherein the consumption of intoxicating liquor and/or beer is permitted.
- (4) Order the discontinuance of the sale of beer.
- (5) Order the discontinuance of selling, distribution, or giving away of gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle.
- (6) Order the closing of gasoline stations, and other establishments, the chief activity of which is the sale, distribution or dispensing of liquid flammable or combustible products.
- (7) Order the discontinuance of selling, distributing, dispensing or giving away any firearms or ammunition of any character whatsoever.
- (8) Order the closing of any or all establishments or portions thereof, the chief activity of which is the sale, distribution, dispensing or giving away of firearms and/or ammunition.
- (9) Issue such other orders as are necessary for the protection of life and property. (1968 Code, § 10-240)

**20-205. Exceptions to curfew.** Any curfew as defined hereby shall not apply to persons lawfully on the streets and public places during a civil emergency who have obtained permission of the local chief of police or other law enforcement officer then in charge of municipal law enforcement which permission shall be granted on good cause shown. This curfew also shall not apply to medical personnel in the performance of their duties. (1968 Code, § 10-240)

**20-206. Violation of orders.** Any person violating the provisions of or ere issued by the mayor pursuant to the authorization of Public acts 1968, Chapter 485 and this chapter during a proclaimed civil emergency shall be guilty of a misdemeanor and may be punished by a fine not exceeding fifty dollars (\$50.00). (1968 Code, § 10-240)

## CHAPTER 3

### EMERGENCY MANAGEMENT PROCEDURES

#### SECTION

- 20-301. Jellico Emergency Management Agency created.
- 20-302. Purpose.
- 20-303. Director of emergency management.
- 20-304. Duties.
- 20-305. Declaring disaster or emergency.
- 20-306. Emergency management plan.
- 20-307. Emergency operations center.
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- 20-312. Appointment of incident commander and field coordinators.
- 20-313. Notification of disaster or emergency.
- 20-314. Operational procedures.
- 20-315. Requesting mutual aid from other cities.
- 20-316. Incident response under direction of emergency management director.
- 20-317. Incidents occurring outside limits of City of Jellico.
- 20-318. Director of civil defense.
- 20-319. Definitions.

**20-301. Jellico Emergency Management Agency created.** There is hereby created a department to be known as the Jellico Emergency Management Agency for the City of Jellico, Tennessee. (Ord. #8-1993, Nov. 1993)

**20-302. Purpose.** The Jellico Emergency Management Agency shall be responsible for the safe and orderly management of any disaster, hazardous materials incident, ruinous event, and/or any emergency incident or event that requires a response of more than the normal available resources. (Ord. #8-1993, Nov. 1993)

**20-303. Director of emergency management.** There is hereby established a Emergency Management Director (EMD) who shall be appointed by the mayor and approved by the board of mayor and aldermen, as is necessary from time to time. Immediately upon passage of this chapter, the Chief of the Jellico Fire Department shall assume the duties of the emergency management director (as previously assigned by the board of mayor and aldermen) and shall continue until such time as he resigns or no longer acts in the capacity as fire chief and emergency management director. (Ord. #8-1993, Nov. 1993)

**20-304. Duties.** It shall be the duty of the Emergency Management Agency (EMA), in the event of a disaster, or other incident defined in § 20-302, to provide for the coordination and

organization, aid, and assistance of all responding personnel, groups, and/or organizations. (Ord. #8-1993, Nov. 1993)

**20-305. Declaring disaster or emergency.** In an emergency, where an incident or event has occurred and there is a reasonable possibility that the situation may lead to the loss of life or extreme loss of property, the emergency management director may declare a disaster or emergency. He shall then notify the mayor and members of the board of aldermen who shall convene as soon as possible and confirm the action or declare the event to be over.

When an event or incident of such a nature that the mayor and board of aldermen may be contacted first, then a disaster or emergency may be declared by: The board of mayor and aldermen if in session, and if not in session, then the mayor may declare a disaster or emergency. In the absence of the mayor or if he is unable to serve, the vice-mayor may declare a disaster or emergency. If both the mayor and vice-mayor are absent or unable to serve, then a disaster or emergency may be declared by a majority of the members of the board of aldermen who are available and able to serve. In the event the board of mayor and aldermen cannot be located, a majority of the members of the fire and police committee may declare a disaster or an emergency situation.

In declaring a disaster or an emergency situation, the recommendations of the fire chief and the chief of police shall be taken into consideration. (Ord. #8-1993, Nov. 1993)

**20-306. Emergency management plan.** It shall be the duty of the emergency management director to develop an emergency management plan for the City of Jellico, and to implement such plan. The director shall develop standard operating procedures or guidelines to implement the plan and shall provide copies of both to the board of mayor and aldermen. The director shall update and keep the plans and guidelines current and provide copies to the board of mayor and aldermen as available. (Ord. #8-1993, Nov. 1993)

**20-307. Emergency operations center.** When a disaster or emergency situation is declared, the emergency management director shall take charge and establish an Emergency Operations Center (EOC) and any field operations centers as needed. (Ord. #8-1993, Nov. 1993)

**20-308. Location of emergency operations center.** When possible, the emergency operations center shall be located in the Jellico Municipal Building, and if not possible, then in a predetermined location declared suitable by the director. (Ord. #8-1993, Nov. 1993)

**20-309. City of Jellico employees made available for assignment.** In the event of a disaster or other emergency as defined in § 20-302, having been so declared, all employees of the City of Jellico and the Jellico Electric and Water Systems, and/or any other departments or subdivisions of the City of Jellico shall be made available for assignment by the Director of the Jellico Emergency Management Agency.

The emergency management agency may enter into an agreement with the Jellico Electric and Water Systems if deemed necessary or desirable to be approved by the board of mayor and aldermen. (Ord. #8-1993, Nov. 1993)

**20-310. Work shifts during emergencies.** During a disaster or other emergency, employees may be required to work up to sixteen (16) hour shifts and will be given eight (8) hours off between shifts. (Ord. #8-1993, Nov. 1993)

**20-311. Department activation during emergency.** During a disaster or other emergency has been declared, the emergency management director shall be authorized to activate any all departments and employees outlined in § 20-309. (Ord. #8-1993, Nov. 1993)

**20-312. Appointment of incident commander and field coordinators.** The emergency management director shall appoint an incident commander and field coordinators as necessary. (Ord. #8-1993, Nov. 1993)

**20-313. Notification of disaster or emergency.** When a disaster or other emergency has been declared, the emergency management director shall notify the Campbell County Emergency Coordinator, the Whitley County (Kentucky) Emergency Coordinator, the Tennessee Emergency Management Agency, the Federal Emergency Management Agency or any other agency or organization deemed necessary by the director. (Ord. #8-1993, Nov. 1993)

**20-314. Operational procedures.** Disaster and emergency operations shall follow standard operational procedures set up by the director when possible and the director may adapt other standard procedures or follow standards deemed appropriate for the incident as necessary. Procedures may be changed or adapted to the incident without notice when during the course of an incident it is deemed necessary by the director without prior notice. (Ord. #8-1993, Nov. 1993)

**20-315. Requesting mutual aid from other cities.** The emergency management director shall be authorized to request mutual aid from other cities, groups, organizations, or agencies as deemed necessary. (Ord. #8-1993, Nov. 1993)

**20-316. Incident response under direction of emergency management director.** Any and all agencies, groups, organizations, persons or departments responding to an incident in the City of Jellico shall come under the direction of the Jellico Emergency Management Director when a disaster or emergency has been declared. (Ord. #8-1993, Nov. 1993)

**20-317. Incidents occurring outside limits of City of Jellico.** Whenever an incident occurs outside the corporate limits of the City of Jellico but is in such proximity to the City of Jellico that it may endanger the life or property of citizens of Jellico or there is danger of the incident spreading into the City of Jellico by means of water or air pollution, the director may request a disaster or emergency be declared and implement the emergency management procedures of this chapter. (Ord. #8-1993, Nov. 1993)

**20-318. Director of civil defense.** For the purposes of this chapter and emergency management the emergency management director shall be deemed to be the director of civil defense and shall include such procedures as may be necessary in the emergency management

plan. (Ord. #8-1993, Nov. 1993)

**20-319. Definitions.** Whenever used in this chapter, the word "director" shall be deemed to mean the Director of the Jellico Emergency Management Agency. The words or phrase "emergency management agency" shall mean the Jellico Emergency Management Agency unless specifically referring to some other emergency management agency. The words or phrase "board of mayor and aldermen" may be used interchangeably with the words or phrase "Jellico City Council." The words or phrase "emergency management plan" and words or phrase "standard operation procedures" shall be deemed to mean the emergency management plan and operation procedures developed and adopted for the City of Jellico unless specifically referring to some other plan or procedures. (Ord. #8-1993, Nov. 1993)