

ORDINANCE NO. 993

AN ORDINANCE ESTABLISHING A PROCEDURE FOR AN EMERGENCY PROCLAMATION AS CHAPTER 1 ARTICLE 19 OF THE MUNICIPAL CODE OF THE CITY OF ROELAND PARK, KANSAS.

WHEREAS, the City of Roeland Park, Kansas does not yet have a procedure for declaring an emergency, and;

WHEREAS, the declaration of an emergency is necessary to inform the citizens of Roeland Park, Kansas of efforts taken by local government, and;

WHEREAS, it is necessary to inform citizens of an emergency to protect citizens' health, welfare and safety in times of an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS.

SECTION 1. Chapter 1, Article 19 "Emergency Preparedness" is hereby established and shall read as follows:

DEFINITIONS. For the purpose of this article, certain terms or words used herein shall be interpreted or defined as follows in this article:

(a) Disaster -- The occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from any natural or man-made cause, including, but not limited to, fire, flood, earthquake, wind, storm, epidemics, air contamination, blight, drought, infestation, explosion or riot

SECTION 2. EMERGENCY PROCLAMATION; ACTION. Whenever, in the judgment of the mayor or in the event of his or her inability to act, the president of the council determines that an emergency exists as a result of a public or natural disaster, or other civil disobedience causing danger of injury or damages to persons or property, he or she shall have power to impose by proclamation any or all of the following regulations necessary to preserve the health, safety, peace and order of the city:

(a) To impose a curfew upon all or any portion of the city requiring all persons in such designated curfew areas to remove themselves from the public streets, alleys, parks or other public places or buildings; provided, however, that physicians, nurses and ambulance operators performing medical services, utility personnel maintaining essential public services, firefighters and city authorized or requested law enforcement officers and personnel may be exempted from such curfew;

(b) To order the closing of any public buildings and business establishments anywhere within the city for the period of the emergency, such businesses to include, but not be limited to, those selling intoxicating liquors, cereal malt beverages, gasoline or firearms;

(c) To designate any public street, thoroughfare or vehicle parking areas closed to motor vehicles and pedestrian traffic;

(d) To call upon regular and auxiliary law enforcement agencies and organizations within or without the city to assist in preserving and keeping the peace within the city.

SECTION 3. EMERGENCY PROCLAMATION; EFFECTIVE WHEN. The proclamation of emergency provided in this article shall become effective upon its issuance and dissemination to the public by appropriate news media.

SECTION 4. EMERGENCY PROCLAMATION; TERMINATION. Any emergency proclaimed in accordance with the provisions of this article shall terminate after seven (7) days from the issuance thereof, or upon the issuance of a proclamation determining an emergency no longer exists, whichever occurs first; provided, however, that such emergency may be extended for such additional periods of time as determined necessary by resolution of the governing body.

SECTION 5. EMERGENCY PROCLAMATION; VIOLATION, PENALTY. Any person who willfully fails or refuses to comply with the orders of duly authorized law enforcement officers or personnel charged with the responsibility of enforcing the proclamation of emergency authorized in this article is guilty of a misdemeanor, and upon conviction therefore, shall be punished by a fine of not more than \$500 or by imprisonment in jail for a period of not to exceed six months, or by both such fine and imprisonment.

SECTION 6. ADOPTING JOHNSON COUNTY EMERGENCY OPERATIONS PLAN. The City of Roeland Park, Kansas hereby adopts the Johnson County Emergency Operations Plan as the Emergency Operation Plan of the City of Roeland Park, Kansas.

SECTION 7. ADOPTING NATIONAL INCIDENT MANAGEMENT SYSTEM. The City of Roeland Park, Kansas hereby additionally adopts the National Incident Management System to the extent it is not inconsistent with the Johnson County Emergency Operations Plan.

SECTION 8. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED by the City Council the 20th day of March 2020. **APPROVED** by the Mayor.

Mike Kelly, Mayor

ATTEST:

Kelley Nielsen, City Clerk

APPROVED AS TO FORM:

Steven E. Mauer