EMERGENCY ORDINANCE

ORDINANCE AUTHORIZING THE DECLARATION OF A STATE OF EMERGENCY

WHEREAS, the City of Coatesville (hereinafter "the City") is a Third Class City operating by means of a Home Rule Charter; and

WHEREAS, pursuant to Section 2-309 of the Home Rule Charter, City Council, in the event of substantial public emergency affecting the life, health, property and peace of the citizens of the City, may adopt an emergency ordinance; and

WHEREAS, on Saturday, October 27, 2012, based upon the predictions of a Hurricane known as "Sandy" the City Council President, David Collins authorized the City Manager to do all such acts necessary to protect the property and lives of the citizenry and declared a State of Emergency.

NOW THEREFORE, in accordance with the foregoing authority, the City does hereby enact and ordain as follows:

1. The City Council of the City of Coatesville does hereby declare and confirm that there existed a state of public emergency affecting the life, health, property and peace of the citizens of Coatesville in accordance with the Declaration of Emergency for the Hurricane "Sandy", which hurricane has now passed.

2. All expenditures and actions taken under the powers granted to the City pursuant to the Declaration of Emergency and 'Ordinance Declaring A State of Emergency" are hereby confirmed. The Declaration of Emergency or Ordinance Declaring a State of Emergency is attached hereto as Exhibit "A" and its terms are incorporated herein by reference as though set forth at length.

CITY OF COATESVILLE
BUREAU OF FIRE

ONE CITY HALL PLACE COATESVILLE, PENNSYLVANIA 19320

EMERGENCY DIAL 911

AN ORDINANCE DECLARING A STATE OF EMERGENCY

Per Chapter 19 – EMERGENCY MANAGEMENT - I, David Collins, City of Coatesville Council President do hereby declare a State of Emergency as requested by the City Manager to be effective October 27, 2012 and to remain in effect until the emergency abated.

I also resolve to have prepared within seven days of this declaration an Ordinance pursuant to Section 2-309 of the Home Rule Chapter for ratification of this declaration by the City Council.

I, David Collins, City of Coatesville Council President empower the City Manager or his designated representative to act as follows:

A. Enter into contracts, incur obligations, employ temporary personnel, rent equipment, purchase supplies and materials and expend public funds as necessary to disaster emergency management, response and recovery without regard to normal procedures and formalities prescribed by law.
B. To direct, coordinate and supervise all personnel and equipment except as prescribed by law, for the purpose of emergency management, response and recovery; and to promulgate procedures, rules and regulations as necessary to address the disaster emergency response and recovery.
C. To request outside and higher jurisdiction assistance as needed or provided by City Council, approved mutual aid agreements or applicable law.
D. To activate an emergency operations center and Community Response Plan, as necessary, to address the emergency.

Further, I, David Collins, City of Coatesville Council President do hereby empower the City Manager and his designated representatives as follows:

- To take all necessary steps not prescribed by law to effectuate and immediate and timely response to a disaster emergency in order to mitigate or prevent loss of property or life, to protect the health and safety of the citizens and to permit operation and use of essential public facilities and services. Said steps shall include but are not limited to control and authorization of all parties' ingress, egress and regress at any disaster emergency scene; authorization to move or order personal property, including vehicles that impede or prevent emergency management operations; authorization to remove or order to be removed property that presents a clear and imminent hazard; and to carry out all powers and duties as provided and authorized by the Governor of the Commonwealth of Pennsylvania pursuant to 35 PA.C.S.A Section 7301 et. seq.

Signed: David Collins

Dated: 10/27/2012

David Collins
President, City Council

ATTEST:

Chief James Lentz
Emergency Management

Fire Chief's Office 610-384-0300 Ext. 3111 West Station 484-880-2102 Central Station 484-880-1671

3. If any portion of this Ordinance shall be determined to be unconstitutional, illegal or unenforceable, then that portion and only that portion of this Ordinance which is deemed to be unconstitutional, illegal or unenforceable shall be severed from the remainder of this Ordinance and all other terms thereof shall remain in full force and effect.

This Ordinance shall be effective immediately and shall automatically terminate on the 31st day following adoption in accordance with the City Charter and the Third Class City Code and may be re-enacted if the emergency still exists.

ENACTED AND ORDAINED this 13th day of November, 2012.

David Collins, President

ATTEST:

Kirby A. Hudson, City Manager

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 13th day of November, 2012, and was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania on the 13th day of November, 2012, that the vote upon the said Ordinance has been recorded in the Minutes of the City Council and that the Ordinance has been fully recorded.

Kirby A. Hudson, City Manager