

ORDINANCE NO. 2020 - 10

**AN ORDINANCE AMENDING SECTIONS 33.65 AND 33.67
AND ADDING SECTION 33.69 TO CHAPTER 33 OF THE
ORDINANCES OF THE CITY OF CLAREMORE, OKLAHOMA,
REGARDING EMERGENCY MANAGEMENT**

WHEREAS, the City of Claremore, pursuant to the powers delegated to it by the Oklahoma Constitution, Oklahoma Statutes, and as a Charter City, has the authority to amend Sections 33.65 and 33.67 and add Section 33.69 to Chapter 33 of the City Ordinances regarding Emergency Management; and

THEREFORE, BE IT ORDAINED by the Council of the City of Claremore, Oklahoma, that:

Section 1. **Amendment.** **That Section 33.65 to Chapter 33 of the City of Claremore Code be amended as follows (*all deletions are struck through and all insertions underlined*):**

§ 33.65 Emergency Management Director

(A) In compliance with 63 OS § 683.11, the Claremore Fire Department is designated as the local organization for emergency management for the City of Claremore. The Fire Chief shall serve as the Emergency Management Director for the City of Claremore and shall be responsible for the organization, administration, and operation of emergency management, unless a current agreement with Rogers County exists to provide emergency management services.

(B) The Emergency Management Director shall report directly to the City Manager. In the absence of a City Manager or Acting City Manager, the Emergency Management Director shall report to the Mayor. The Emergency Management Director will not take any action or exercise any power or authority under Sections 33.65 to 33.69 to Chapter 33 of the City of Claremore Code without the permission of the City Manager or Acting City Manager or in the absence of the City Manager or Acting City Manager, the Mayor.

The Emergency Management Director may delegate authority to subordinates or other duly authorized persons as needed for the orderly and efficient operation of emergency management.

Section 2. **Amendment.** **That Section 33.67 to Chapter 33 of the City of Claremore Code be amended as follows (*all deletions are struck through and all insertions underlined*):**

§ 33.67 Emergency Management Power and Authority

(A) In the event of a locally declared disaster, the Emergency Management Director shall have the power and authority to:

1. enforce all rules and regulations related to emergency management; ~~and, if necessary,~~
2. take control of; transportation, communications, stocks of fuel, food, clothing, medicine, and public utilities for the purpose of protecting the public;
3. order evacuations;
4. close any or all places of public accommodation. "Place of public accommodation" means a business, or an education, refreshment, entertainment, or recreation facility, or an institution of any kind, whether licensed or not, whose good, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public: and
5. Any other actions that are necessary for the protection of life and property.

(B) In an emergency, the Emergency Management Director may declare a local emergency and submit local disaster declaration documents to the State, until such time that the City Manager or Mayor are able to sign such documents.

(C) The Emergency Management Director shall have the power and authority to enforce the laws of the state and ordinance of the City during periods of emergency, and shall at such time have the further power to make arrests for violations of such laws or ordinances.

Section 3. Amendment. That Section 33.69 to Chapter 33 of the City of Claremore Code be added as follows:

§ 33.69 Penalty

Any person violating the provisions of Section 33.65 through 33.69 to Chapter 33 of the City of Claremore Code or an order of the Emergency Management Director, shall be guilty of an offense, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), excluding costs and/or the revocation of any City licenses, including but not limited to business licenses.

Section 4: The City Clerk is hereby ordered and directed to cause this Ordinance to be published as required by law.

Section 5: Emergency Clause. An emergency is hereby declared to exist whereby it is necessary for the preservation of the public health, safety and welfare of the inhabitants of the City of Claremore, Oklahoma, that this Ordinance shall be in full force and effect immediately from and after its passage, approval and adoption.

PASSED AND APPROVED by the Mayor and Council of the City of Claremore, Oklahoma, this 23rd day of March, 2020, by vote on Section Nos. 1 through 4 and then by separate vote on Section No. 5 (the Emergency Clause).

ATTEST:

Sarah Sharp

CITY CLERK SIGNATURE

Bill Flanagan

MAYOR SIGNATURE

