Section

92.01 Existence of state of emergency

92.02 Proclamation of state of emergency

92.03 Imposition of curfew

92.04 Acts prohibited

92.05 Proclamation may be extended, altered, or repealed

92.06 End of state of emergency

***Cross-reference:***

*Emergency curfew, see § 130.25*

**§ 92.01 EXISTENCE OF STATE OF EMERGENCY.**

A state of emergency shall be deemed to exist whenever, during time 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.

('85 Code, § 91.01) (Ord. passed 4-18-68)

***Statutory reference:***

*Local state of emergency, see G.S. § 166A-8*

**§ 92.02 PROCLAMATION OF STATE OF EMERGENCY.**

In the event of an existing or threatened state of emergency endangering the lives, safety, health, and welfare of the people within the town, or threatening damage to or destruction of property, the Mayor of the town is authorized and empowered to issue a public proclamation declaring to all persons the existence of a state of emergency, and, in order to more effectively protect the lives and property of people within the town, to place in effect any or all of the restrictions hereinafter authorized.

('85 Code, § 91.02) (Ord. passed 4-18-68)

***Statutory reference:***

*Ordinances immediately effective, see*

*G.S. § 14-288.16 and 14-288.17*

**§ 92.03 IMPOSITION OF CURFEW.**

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, firemen, 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 corporation 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. ('85 Code, § 91.03) (Ord. passed 4-18-68)

***Cross-reference:***

*Emergency curfew for minors, see § 130.25*

***Statutory reference:***

*Authority of Mayor to declare emergency, see*

*G.S. § 14-288.12*

**§ 92.04 ACTS PROHIBITED.**

During the existence of a proclaimed state of emergency, the Mayor may impose by proclamation any or all of the following restrictions:

(A) Prohibit or regulate the possession off one's own premises of explosives, firearms, ammunition or dangerous weapons of any kind, and prohibit the purchase, sale, transfer or other disposition thereof;

(B) Prohibit or regulate the buying or selling of beer, wine, or intoxicating beverages of any kind, and their possession or consumption off one's own premises;

(C) Prohibit or regulate any demonstration, parade, march, vigil or participation therein from taking place on any of the public ways or upon any public property;

(D) Prohibit or regulate the sale of gasoline, kerosene, naphtha or any other explosive or inflammable fluids or substances;

(E) Prohibit or regulate travel upon any public street, alley, or roadway or upon any other public property, except by those in search of medical assistance, food, or other commodity or service necessary to sustain the well-being of themselves or their families or some member thereof;

(F) Prohibit or regulate the participation in or carrying on of any business activity, and prohibit or regulate the keeping open of places of business, places of entertainment, and any other places of public assembly. ('85 Code, § 91.04) (Ord. passed 4-18-68)

***Statutory reference:***

*Prohibitions and restrictions, see G.S.*

*§ 14-288.12*

**§ 92.05 PROCLAMATION MAY BE**

**EXTENDED, ALTERED, OR REPEALED.**

Any proclamation may be extended, altered, or repealed in any particular during the continued or threatened existence of a state of emergency by issuance of a subsequent proclamation.

('85 Code, § 91.05) (Ord. passed 4-18-68)

**§ 92.06 END OF STATE 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 Aldermen.

('85 Code, § 91.06) (Ord. passed 4-18-68)