

ORDINANCE PROVIDING FOR
DECLARATION OF LOCAL STATE OF EMERGENCY
(Approved by Town Council 10-11-2006; effective 10-27-06)

§ 1. Authority and Purpose.

This ordinance is enacted pursuant to the Municipal Powers Act, Connecticut General Statutes § 7-148, and the civil preparedness and emergency management statutes, Connecticut General Statutes § 28-1 et seq., in order to preserve and protect the public health, public safety, general welfare, peace and security of the Town of New Canaan, its residents and their property.

§ 2. Definitions.

As used in this Ordinance, the following definitions shall apply.

“Attack” means any attack or series of attacks by a terrorist or an enemy of the United States causing, or which may cause, substantial damage or injury to civilian property or persons in any manner by sabotage or by the use of bombs, shellfire or atomic, radiological, chemical, bacteriological or biological means or other weapons or processes.

“Major disaster” means any catastrophe including, but not limited to, any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought, or, regardless of cause, any fire, flood, explosion, or manmade disaster.

“Local emergency” means any attack or major disaster or other public health or safety crisis occurring in the Town of New Canaan or adversely affecting the Town of New Canaan, including incidents occurring elsewhere but causing regional consequences such as evacuations.

“Emergency Preparedness personnel” means any organized personnel of the Town of New Canaan engaged in carrying out civil preparedness functions in the event of an attack, major disaster, or local emergency, including the Police Department, the Fire Department, the Department of Public Works, the Highway Department, the Health Department, and Community Emergency Response Teams under the direction of Town officials.

§ 3. Declaration of Local State of Emergency.

In the event of an attack, major disaster, or local emergency creating a risk of severe hazards to the life, welfare, or property of the Town of New Canaan or its

residents, the First Selectman may declare the existence of a local state of emergency. The declaration of a local state of emergency will be communicated to the public as soon as reasonably possible, and a written statement of the declaration shall be submitted to the Governor of the State of Connecticut and the Connecticut Department of Emergency Management and Homeland Security.

§ 4. Effect of Declaration.

In the event of a local state of emergency, the First Selectman, in consultation and coordination with the Police and Fire Departments, the Director of Emergency Preparedness, and the Area Coordinator for the State of Connecticut Department of Emergency Management and Homeland Security, may take such action as he or she deems necessary to mitigate the emergency, including (without limitation) the following:

- a. Request State or Federal assistance and financial aid;
- b. Invoke emergency related mutual aid agreements with other municipalities or government agencies, and extend or accept mutual aid;
- c. Invoke emergency assistance agreements with private entities;
- d. Invoke emergency operations, evacuation and shelter plans and agreements;
- e. Mobilize Community Emergency Response Teams (CERT) and other civil preparedness forces;
- f. Expend public funds from appropriations made for such purposes;
- g. Require partial or full evacuations from specific geographical areas of Town;
- h. Close roads and restrict access to certain geographical areas of Town;
- i. Impose travel and parking restrictions in order to keep roads clear for emergency response vehicles;
- j. Remove from publicly or privately owned land or water any debris or wreckage that threatens public health, safety, public or private property;
- k. Secure and preserve any documents and evidence pertinent to and necessary for a future investigation; and
- l. Take such other steps as are reasonably necessary in light of the local emergency to protect the health, safety and welfare of the people of New Canaan, to prevent or minimize loss or destruction of property, and to

minimize the effects of hostile action.

This section is intended to duplicate, supplement and complement the powers and authority granted by other laws. This section shall not be construed to limit any powers and authority granted by other laws.

§ 5. Termination of State of Emergency.

When the hazardous conditions have stabilized and the state of emergency no longer exists, the First Selectmen shall declare the termination of the state of emergency in the same manner as the declaration of its existence. A declaration of a local state of emergency shall expire after seven calendar days unless the First Selectman declares a continuation for another seven calendar days.

§ 6. Absence or Unavailability of First Selectman.

In the absence or unavailability of the First Selectman, the Chairman of the Town Council may act in place of the First Selectman for all purposes under this ordinance. In the event that both the First Selectman and the Chairman of the Town Council are absent or unavailable, then the Vice-Chairman of the Town Council may act in place of the First Selectman for all purposes under this ordinance.