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CITY OF LeROY

ILLINOIS

ORDINANCE NO. 204

AN ORDINANCE AMENDING CHAPTER 3, CITY ADMINISTRATION,
MUNICIPAL CODE OF LE ROY, ILLINOIS 1975 (as amended).

ADOPTED BY THE

CITY COUNCIL

OF THE

CITY OF LeROY

THIS 2nd DAY OF July, 19 84.

Published in pamphlet form by authority of the
City Council of the City of LeRoy, McLean County,
Illinois, this 2nd day of July,

19 84.

ORDINANCE NO. 204

AN ORDINANCE AMENDING CHAPTER 3, CITY ADMINISTRATION, MUNICIPAL CODE OF LE ROY, ILLINOIS 1975 (as amended).

Whereas, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, have determined that the possibility of the occurrence of disasters resulting from natural or man-made causes could result in substantial destruction of property and loss of life affecting the residents of the City of LeRoy, and

Whereas, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, have adopted an ordinance providing for creation of an Emergency Services and Disaster Agency, and

Whereas, Chapter 24, Paragraph 11-1-6, Illinois Revised Statutes 1983 (as amended), provides for emergency powers to be assumed by the mayor of a municipality within the State of Illinois under certain circumstances where an ordinance has already been adopted by the corporate authorities of such a municipality granting to the mayor extraordinary powers and authority to exercise those powers during a state of emergency,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of LeRoy, Illinois, in lawful meeting assembled:

Section 1. New Section 3.09, Emergency Powers of the Mayor, is hereby adopted in words and figures as follows:

(a). Definitions.

(1). "City" is hereby defined to mean the City of LeRoy and the geographical area located within the corporate limits of the City of LeRoy.

(2). "Civil Emergency" is hereby defined to be:

(i). A riot or unlawful assembly characterized by the use of actual force or violence or any threat to use force if accompanied by immediate power to execute such force by three or more persons acting together without authority of law;

(ii). Any natural disaster or man-made calamity including flood, conflagration, cyclone, tornado, earthquake or explosion within the corporate limits of the City of LeRoy resulting in the death or injury of persons or the destruction of property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare.

- (3). "Curfew" is a prohibition against any person or persons walking, running, loitering, standing or motoring upon any alley, street, highway, public property or vacant premises within the corporate limits of the municipality during the hours in which a curfew has been imposed, excepting persons officially designated to duty with reference to said civil emergency.

(b). Grant of Powers. The Mayor of the City of LeRoy is hereby granted extraordinary powers and authority to exercise, by executive order, such of the powers of the corporate authorities as may be reasonably necessary to protect the public health, safety and welfare during a civil emergency, and to respond to a civil emergency. Such extraordinary powers and grant of authority to exercise such of the powers of the corporate authorities as may be reasonably necessary to respond to a civil emergency shall include, but not by way of limitation, the following:

- (1). Imposition of a general curfew applicable to such geographical areas of the City or to the City as a whole as the mayor deems advisable and applicable during such hours of the day or night as the mayor shall deem necessary in the interests of the public safety and welfare.
- (2). Order the closing of all retail liquor stores.
- (3). Order the closing of all taverns.
- (4). Order the closing of all private clubs or portions thereof wherein the consumption of intoxicating liquor and/or beer is permitted.
- (5). Order the discontinuance of the sale of beer.
- (6). Order the discontinuance of the sale, distribution or giving away of gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle.
- (7). Order the closing of gasoline stations and other establishments, the chief activity of which is the sale, distribution or dispensing of liquid flammable or combustible products.
- (8). Order the discontinuance of the sale, distribution, dispensation or giving away of any firearms or ammunition of any character whatsoever.
- (9). Order the closing of any or all establishments or portions thereof, the chief activity of which is the sale, distribution, dispensing or giving away of firearms and/or ammunition.

- (10). Order that no person shall consume any alcoholic beverages in a public street or place which is publicly owned or in any motor vehicle driven or parked thereon which is within the duly designated restricted area.
- (11). Order that no person shall carry or possess any rock, bottle, club, brick, or weapon, who uses or intends to use the same unlawfully against the person or property of another.
- (12). Order that no person shall make, carry, possess or use any type of "Molotov Cocktail", gasoline or petroleum based firebomb or other incendiary missile.
- (13). Order that no person shall enter any area designated by the mayor as a restricted area unless in the performance of official duties or with written permission from the mayor or his duly designated representative, or such person shall prove residence therein.
- (14). Issue such other orders as are imminently necessary for the protection of the life and property of the residents of the City.

(c). When in the judgment of the mayor a civil emergency as defined herein is deemed to exist, the mayor shall forthwith issue a statement in writing, under oath, and executed by him, finding that such civil emergency exists in accordance with standards hereinafter set forth, which statement shall also set forth facts to substantiate such findings, describe the nature of the emergency, and declare that a state of emergency exists within the City, or within a particular geographic portion of the City. Such statement shall be filed with the city clerk as soon as practicable.

(d). Standards for determining when a state of civil emergency exists. A state of civil emergency shall be deemed to exist when any one or more of the following standards have been met:

- (1). When a state of national emergency has been declared by the President or other lawful authority of the United States government, which state of emergency shall include the geographic area within which the City is located.
- (2). When a state of emergency shall be declared within the State of Illinois by the Governor of the State of Illinois or other lawful authority of said state, which state of emergency shall be designated to include the geographic area within which the City is located.
- (3). When three or more persons acting together without authority of law, and threatening to use force, when accompanied by immediate power or apparent

immediate power to execute such force, or when using actual force or violence, shall unlawfully assemble or riot within the City or any geographic portion thereof.

- (4). When any flood, cyclone, tornado or earthquake condition shall have been declared by the lawful authorities of the county government of the County of McLean, or by the McLean County Emergency Services Disaster Agency coordinator or director, or any lawful authority acting on behalf of the aforesaid McLean County government officials or McLean County Emergency Services Disaster Agency coordinator or director, and such condition shall have been deemed by any of the aforesaid authorities to threaten the City or any portion thereof.
- (5). When any natural disaster or man-made calamity, including flood, conflagration, cyclone, tornado, earthquake, explosion or fire within the corporate limits of City shall threaten imminent death or injury to five or more persons, or the threat of imminent destruction to property within an area constituting at least two blocks or the equivalent thereof within the corporate limits of City, and such threat of imminent death or injury to persons or threat of imminent destruction to property may reasonably be assumed to threaten the health, safety and welfare of a greater number of persons within the City, or of all persons within the City.

(e). A state of emergency declared in accordance with the provisions of this Section 3.08 of Chapter 3 of the LeRoy Municipal Code, 1975 (as amended), shall expire not later than the adjournment of the first regular meeting of the corporate authorities of the City after the state of emergency is declared. A state of emergency may be redeclared in accordance with the provisions of this ordinance, or may be extended by appropriate action of the corporate authorities by ordinance setting forth the reasons for the continuation of the state of emergency, and setting forth the powers and authority which the mayor may exercise, or which the corporate authorities shall take in response to the state of emergency.

Section 2. This ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as required by law.

PASSED by the Mayor and City Council of the City of LeRoy, Illinois, on the 2nd day of July, 1984, and deposited and filed in the office of the City Clerk in said City on that date.

Trustees elected 6

Trustees present 6

AYES Patrick Derby, Gary Builta, Jon Winston, Michael Hanafin,
Michael Hillard, David King

NAYS None

Juanita Dagley
Juanita Dagley, City Clerk
of the City of LeRoy, Illinois

APPROVED by the Mayor of the City of LeRoy, Illinois, this
2nd day of July, 1984.

Jack Moss
Jack Moss, Mayor of the
City of LeRoy, Illinois

ATTEST:

(seal)

Juanita Dagley
Juanita Dagley, City Clerk of
the City of LeRoy, Illinois

CERTIFICATE

I, Juanita Dagley, certify that I am the duly elected and acting municipal clerk of the City of LeRoy, McLean County, Illinois.

I further certify that on July 2nd, 1984, the Corporate Authorities of such municipality passed and approved Ordinance No. 204, entitled:

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which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 204, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on July 2nd, 1984, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

'Dated at LeRoy, Illinois, this 2nd day of July, 1984.

(seal)

Juanita Dagley
Municipal Clerk