

ORDINANCE 2015-08
**AN ORDINANCE MODIFYING SUCCESSION PROCEDURES FOR THE
PRINCIPAL EXECUTIVE OFFICER OF THE COUNTY AND ESTABLISHING A
LOCAL TRAVEL ADVISORY IN WARRICK COUNTY**

WHEREAS, Section 35.02 of the Code of Ordinances of Warrick County defines the Principal Executive Officer of the County, as referred to in Indiana Code Section 10-14-3-29(a) for purposes of declaring a local disaster emergency; and

WHEREAS, the Board of Commissioners of Warrick County believes an updated succession of appointments would best serve the interests of the County in the event of a local disaster emergency; and

WHEREAS, Indiana Code Section 10-14-3-29.5 provides for varying levels of travel advisory notifications to aid travelers during inclement weather conditions or under an emergency declaration; and

WHEREAS, the Board of Commissioners of Warrick County has determined the public would benefit from travel advisory notifications; and

WHEREAS, the Board of Commissioners of Warrick County has also determined that it is in the best interests of Warrick County and its citizens and those that travel upon the streets and highways of Warrick County for advisory notifications to be issued from time to time.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA THAT:

The Code of Ordinances of Warrick County, Indiana, is hereby amended in that SECTIONS 35.35, 35.36, 35.37, and 35.38 shall now be renumbered SECTIONS 35.36, 35.37, 35.38, and 35.39 respectively.

SECTION 35.02 of the Code of Ordinances of Warrick County, Indiana is hereby amended in that the definition of PRINCIPAL EXECUTIVE OFFICER shall be amended to read as follows:

PRINCIPAL EXECUTIVE OFFICER. Principal Executive Officer, as referred to in I.C. 10-14-3-29(a) for purposes of declaring a local disaster emergency, and as referred to hereinafter, means the Warrick County Board of Commissioners established under I.C. 36-2-2.

(1) If a quorum of the Warrick County Board of Commissioners (two of the three Commissioners as established under LC. 36-2-4-3) is unavailable or is incapacitated, then the following establishes the line of succession for the principal executive officer:

(a) The regularly designated President of the Board of Commissioners. If a quorum of the Board of Commissioners is unavailable or incapacitated, then the regularly designated President of the Board of Commissioners shall serve as the principal executive officer for the purposes of this chapter until such time that a quorum of the Board of Commissioners is no longer unavailable or incapacitated.

(b) The Vice-President of the Board of Commissioners. If both a quorum of the Board of Commissioners and the regularly designated President of the Board of Commissioners are unavailable or are incapacitated, then the Vice-President of the Board of Commissioners shall serve as the principal executive officer for the purposes of this chapter until such time that either the regularly designated President or a quorum of the Board of Commissioners is no longer unavailable or incapacitated.

(c) The remaining Commissioner of the Board of Commissioners. If a quorum of the Board of Commissioners, the regularly designated President of the Board of County Commissioners, and the Vice-President of the Board of Commissioners are all unavailable or are incapacitated, then the remaining Commissioner of the Board of Commissioners shall serve as the principal executive officer for the purposes of this chapter until such time that the Vice-President, the regularly designated President, or a quorum of the Board of Commissioners is no longer unavailable or incapacitated.

(d) Director of Emergency Management. If all of the Warrick County Commissioners are unavailable or incapacitated, then the Director of Emergency Management shall serve as the principal executive officer for the purposes of this chapter until such time that a Warrick County Commissioner is no longer unavailable or incapacitated.

(e) Sheriff. If the all of the Warrick County Commissioners and the Director of Emergency Management are unavailable or incapacitated, then the Sheriff of Warrick County shall serve as the principal executive officer for the purposes of this chapter until such time that a Warrick County Commissioner or the Director of Emergency Management is no longer unavailable or incapacitated.

(f) President of the County Council. If the Sheriff is unavailable or incapacitated, then the President of the Warrick County Council shall serve as the principal executive officer for the purposes of this chapter until such time that a Warrick County Commissioner, the Director of Emergency Management, or the Sheriff of Warrick County is no longer unavailable or incapacitated.

(g) Coroner. If the President of the County Council is unavailable or incapacitated, then the Coroner of Warrick County shall serve as the principal

executive officer for the purposes of this chapter until such time that a Warrick County Commissioner, the Director of Emergency Management, the Sheriff, or the President of the County Council is no longer unavailable or incapacitated.

The Code of Ordinances of Warrick County, Indiana, is hereby amended to provide for a new SECTION 35.35 entitled “Designation of Travel Advisory” as follows:

Section 35.35 Designation of Travel Advisory

(A) If the principal executive officer of a political subdivision issues a local travel advisory as part of an emergency declaration under I.C. § 10-14-3-29, the principal executive officer shall designate the travel advisory as falling into one (1) of the following categories:

(1) “Advisory”, the lowest level of local travel advisory, means that routine travel or activities may be restricted in areas because of a hazardous situation, and individuals should use caution or avoid those areas.

(2) “Watch”, means that conditions are threatening to the safety of the public. During a "watch" local travel advisory, only essential travel, such as to and from work or in emergency situations, is recommended, and emergency action plans should be implemented by businesses, schools, government agencies, and other organizations.

(3) “Warning”, the highest level of local travel advisory, means that travel may be restricted to emergency management workers only. During a "warning" local travel advisory, individuals are directed to:

- (a) refrain from all travel;
- (b) comply with necessary emergency measures;
- (c) cooperate with public officials and disaster services forces in executing emergency operations plans; and
- (d) obey and comply with the lawful directions of properly identified officers.

Further and more specific restrictions, including parking restrictions, may be included in a "warning" local travel advisory.

(B) If the emergency management agency director or the principal executive officer of a political subdivision determines that conditions within the political subdivision have created the need for travel advisory restrictions without a local disaster emergency declaration under I.C. § 10-14-3-29, the emergency management agency director or the principal executive officer may issue an “advisory” or a “watch” level travel advisory.

(C) A "warning" level travel advisory may be issued only after a local disaster emergency is declared under I.C. § 10-14-3-29.

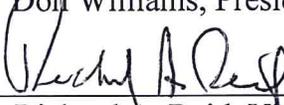
Passed and adopted by the Warrick County Board of Commissioners, upon third reading herein, this 23rd day of March, 2015.

WARRICK COUNTY
BOARD OF COMMISSIONERS

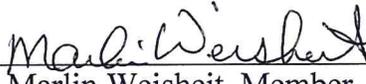
By:



Don Williams, President

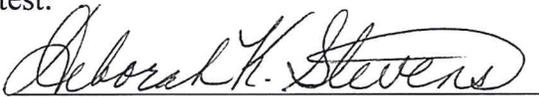


Richard A. Reid, Vice-President



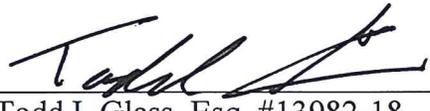
Marlin Weisheit, Member

Attest:



Deborah K. Stevens, Auditor
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:

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