

Resolution 2017-16

Resolution Declaring Emergency Powers to the Mayor or Mayor Pro-Tempore During Times of, or Anticipated Times of Hurricane or Emergency Weather Conditions

WHEREAS, the Code of Alabama, 1975, Section 31-9-2(a), allows for declaration of a local State of Emergency if the Town warrants: and

WHEREAS, if in the future there is a pending threat of Hurricane or Emergency Weather Conditions which can be expected to cause impairment or loss of various critical public facilities and the inability of the Town to provide adequately for the health, safety, and convenience of the public; and

WHEREAS, if there is a need for the Town to enter into various public works contracts to affect the repair of critical public facilities and to provide adequately for the health, safety, and convenience of the public without delay; and


WHEREAS, so as not to cause undue delay, the Town of Perdido Beach Council desires to grant emergency powers to the Mayor or Mayor Pro Tempore, should the Mayor not be available to immediately declare a Local State of Emergency to provide adequately for the health, safety, and convenience of the public without delay in the case of a pending hurricane or emergency weather condition as described above.

THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PERDIDO BEACH, ALABAMA IN EMERGENCY SESSION ON THE 6th DAY OF OCTOBER, 2017 AS FOLLOWS:

Section 1. That the Town Council of the Town of Perdido Beach has determined that if future conditions warrant a local State of Emergency as authorized by the Code of Alabama 1975, Section 31-9-2(a), and as described above, the Mayor or Mayor Pro Tempore should the Mayor not be available, shall have the authority to declare a Local State of Emergency without delay affecting public health, safety, and convenience as existing as defined within the meaning of the Code of Alabama Section 39-2-2(e) as a result of pending and/or threatening future hurricane.

Section 2. That the Mayor and Town Clerk are hereby authorized and directed to execute and attest respectively, during such called State of Emergency periods, as authorized by the Code of Alabama 1975, Section 39-2-2(e), all contracts determined by the Mayor to be necessary to meet the State of Emergency without public advertisement.

Section 3. This resolution shall become effective immediately upon its adoption as required by law.
Approved and Adopted this 6th of October, 2017


Kae Hamilton - Mayor

ATTEST: 
Lynn Thompson, Town Clerk

Local State of Emergency Declaration

Baldwin County, Alabama

Authority

Whereas, the Gulf Coast of Alabama, Baldwin County and the Town of Perdido Beach is immediately threatened by Tropical Storm Nate. Alabama Governor Kay Ivey has issued a statewide state of emergency that went into effect on Friday, October 6, 2017 at 7:00 a.m., and

Whereas, Tropical Storm Nate is expected to become a Category 1 hurricane by the time it makes landfall on Sunday, October 8, 2017 between southeast Louisiana and the Florida peninsula. Tropical storm force winds can be felt as early as Saturday, October 7, 2017. Winds of 75 mph and gusts to 90 mph are expected near the Alabama coast.

Now, therefore, I, Kae Hamilton,, Mayor of the Town of Perdido Beach, Alabama, declare that a local state of emergency exists in Baldwin County and in the Town of Perdido Beach and that I hereby invoke and declare those portions of the Alabama Code which are applicable to the conditions and have caused the issuance of this declaration, to be in full force and effect in the Town of Perdido Beach for the exercise of all necessary emergency authority for protection of the lives and property of the people of this Town and the restoration of local government with a minimum of interruption.

My authority for this Declaration, for this weather emergency and any future weather emergency was approved by the Perdido Beach Council at an emergency meeting of the Town of Perdido Beach held on October 6, 2017, conducted in accordance with Alabama's Open Meetings Law under Town of Perdido Beach Resolution 2017-16, which states under Section 2, That the Town Council of the Town of Perdido Beach has determined that if future conditions warrant a local State of Emergency as authorized by the *Code of Alabama 1975*, Section 31-9-2(a), and as described above, the Mayor or Mayor Pro-Tempore, should the Mayor not be available, shall have the authority to declare a Local State of Emergency without delay affecting public health, safety, and convenience as existing as defined within the meaning of the *Code of Alabama* Section 39-2-2(e) as a result of a pending and/or threatening future hurricane.

All citizens are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and disaster services forces in executing emergency operations plans, and to obey and comply with the lawful directions of properly identified officers.

All operating forces will direct their communications and requests for assistance and operations directly to the Baldwin County Emergency Operating Center.

In witness, whereof, I have hereunto set my hand this 6th day of October, 2017.

Attest: Lynn Thompson
Lynn Thompson, Town Clerk

Kae Hamilton
Kae Hamilton, Mayor