

CITY OF HUBBARD, OHIO  
RECORD OF ORDINANCES AND RESOLUTIONS

THE FRED PROCTER CO., CINTI, O.

RESOLUTION NO. ....

ORDINANCE NO. 2-20 .....

PASSED MARCH 18 ..... 20 20 .....

AN ORDINANCE

**AN ORDINANCE TO AMEND THE LANGUAGE ON ORDINANCE NO. 131.02 TO ENCOMPASS EMERGENCIES OTHER THAN RIOT OR INSURRECTION, AND DECLARING AN EMERGENCY.**

WHEREAS, Section 131.02 powers the mayor to proclaim a state of emergency; and

WHEREAS, due to changing conditions and emergencies not contemplated at the time Section 131.02 was originally drafted; and

WHEREAS, it is desired by the Council of the City of Hubbard to bestow upon the mayor additional emergency powers to confront such emergencies.

NOW THEREFORE BE IT ORDAINED by the City Council of Hubbard, Ohio:

SECTION 1. That Section 131.02 of the Codified Ordinances of the City of Hubbard shall be amended to encompass other such emergencies.

SECTION 2. See attached Exhibit A for the amended Ordinance.

SECTION 3. This Ordinance is hereby declared to be an emergency Ordinance necessary for the peace, health, safety and welfare of the City of Hubbard, Ohio and shall take effect immediately upon its passage and approval by the Mayor or in the alternative, from and after the earliest time permitted by law.

SECTION 4. All prior Ordinances and Resolutions in conflict with this Ordinance are hereby repealed.

SECTION 5. All formal actions of the City Council of Hubbard, Ohio, relating to the adoption of this Ordinance, and all deliberations of the City Council of Hubbard, Ohio, and any of its committees leading to such action, were in meetings open to the public as required by law.

PASSED IN COUNCIL THIS 18<sup>TH</sup> DAY OF MARCH, 2020.

ATTEST:

Julie Brown  
CLERK OF COUNCIL

William Williams  
PRESIDENT OF COUNCIL

APPROVED:

James A. Kyle  
MAYOR

APPROVAL DATE: 3-18-2020

FIRST READING: 3-16-2020

SECOND READING: 3-18-2020

THIRD READING: \_\_\_\_\_

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I hereby certify that the foregoing Ordinance was published in The News of Hubbard on the dates hereinbelow set forth and was posted at the Hubbard City Municipal Building and the Hubbard Police Department on the days hereinbelow set forth.

DATES OF PUBLICATION:

\_\_\_ day of \_\_\_\_\_, 2020  
\_\_\_ day of \_\_\_\_\_, 2020  
\_\_\_ day of \_\_\_\_\_, 2020

POSTED:

19<sup>TH</sup> day of MARCH, 2020

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**EXHIBIT A**

131.02 PROCLAMATION OF STATE OF EMERGENCY; EMERGENCY POWERS.

- (a) The Mayor, may, in the case of a riot, insurrection, or other emergency, and when there is clear and present danger of a riot, insurrection, or other emergency that may pose a serious threat to the health and welfare of the public, proclaim, in writing, a state of emergency.
- (b) As part of such proclamation or by subsequent written order after such proclamation is issued, the Mayor may, at his discretion, if he deems it necessary to the public safety:
- (1) Delineate the boundaries of any area threatened by riot, insurrection, or other emergency and restrict or prohibit the movement of persons into, out of or within such area;
  - (2) Establish a curfew within such area and prohibit persons from being out-of-doors during such curfew; or
  - (3) Issue reasonable regulations to suppress such riot, insurrection, or other emergency, or to protect persons or property from harm by reason of such emergency. (Ord. 33-68. Passed 9-3-68).
- (c) In order to provide for necessary labor and services, at such times when Council is not in session, to properly meet or cope with an emergency, disaster or damage resulting from an act of God, the Mayor is hereby authorized at such time as a state of emergency has been declared to hire such personnel as he deems necessary to meet such state of emergency. Persons so hired shall be paid at a rate of pay as prescribed by Council for skilled labor for City employees. (Ord. 1500. Passed 4-19-54).
- (d) When the danger from riot, insurrection, or other emergency has passed, the Mayor shall forthwith proclaim that the emergency has ended and any proclamation, order or regulation issued pursuant to this section shall then become void.
- (e) The powers conferred by this section are in addition to any other power which may be conferred by law and nothing in this section shall be construed to modify or limit such authority, powers, duties and responsibilities of any officer, or public official as may be provided by law. Nothing in this section shall be construed to permit suspension of the privilege to a writ of habeas corpus. (Ord. 33-68. Passed 9-3-68)