

## ORDINANCE NO. 1-70

AN ORDINANCE CONCERNING OFFENSES AGAINST PUBLIC PEACE, SAFETY AND MORALS AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED by the Common Council of the City of Lebanon, Indiana,

## SECTION 1. Definitions

(1) A civil emergency is hereby defined to be:

a. A riot or unlawful assembly characterized by the use of actual force of 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: or

b. Any natural disaster or man-made calamity including flood, conflagration, cyclone, tornado, earthquake or explosion within the corporate limits of the city 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.

(2) Curfew is hereby defined as 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 city during the hours in which a curfew has been imposed, excepting persons officially designated to duty with reference to said civil emergency.

## SECTION 2 Proclamation by Mayor.

When in the judgement of the Mayor a civil emergency, as defined herein is deemed to exist, he shall forthwith proclaim in writing the existence of same. Said proclamation shall be effective from and after the posting of the same in at least three (3) public places within said city. In the event of the absence of the Mayor from the city, or his inability to act for any other reason, the Chief of Police shall be authorized to act in his name, place and stead.

## SECTION 3 Imposition of Curfew.

After proclamation of a civil emergency by the Mayor, he may order a general curfew applicable to such geographical areas of the city or the the city as a whole, as he deems advisable and applicable during such hours of the day or night as he deems necessary in the interest of the public safety and welfare.

## SECTION 4 Additional Regulations

After proclamation of a civil emergency, the Mayor may also in the interest of public safety and welfare make any or all of the following orders.

1. Order the closing of all retail liquor stores.
2. Order the closing of all taverns.
3. Order the closing of all private clubs or portions thereof wherein the consumption of intoxicating liquor or beer is permitted.
4. Order the discontinuance of the sale of beer.
5. Order the discontinuance of selling, distributing or giving away gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle.
6. 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.
7. Order the discontinuance of selling, distributing, dispensing or giving away of firearms and/or ammunition.
8. Issue such other orders as are imminently necessary for the protection of life and property.

## SECTION 5. Emergency Powers

During the period of a declared state of emergency, the Mayor shall have the the power to invoke any or all of the following provisions.

1. Alcoholic beverages. 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 a duly designated restricted area.
2. Weapons. No person shall carry or possess any rock, bottle, club, brick or weapon, who uses or intends to use the same unlawfully against the persons or property of another.
3. Incendiary missiles. No person shall make, carry, possess or use any type of "Molotov Cocktail" gasoline or petroleum base fire bomb or other incendiary missile.
4. Restricted area