

ORDINANCE NUMBER 2015 - *DR*

ORIGINAL

**Delaware County All Hazards Travel Emergencies  
Classification Ordinance**

**AN ORDINANCE ESTABLISHING CLASSIFICATIONS OF TRAVEL-LEVEL DECLARATIONS LEADING UP TO A TRAVEL WARNING IN DELAWARE COUNTY, INDIANA DUE TO A CATASTROPHE OR EMERGENCY DUE TO AN ICY ROADS, BLOWING AND DRIFTING SNOW, FLOODING, DEBRIS OR ANY OTHER HAZARD.**

WHEREAS: It has become necessary to establish an ordinance to control traffic on county maintained roadways during a time of declaration and or emergency because of ice, snow, flooding, debris or other emergencies in the best interest of public safety and the welfare to the community; and,

WHEREAS: Delaware County adopts the All Hazards Travel Emergencies Ordinance pursuant to Indiana Code 10-14-3-29.5; and,

WHEREAS: The Board of County Commissioners by authority of Indiana Code 10-14-3-29 and 10-14-3-29.5 and Delaware County Emergency Management Ordinance 1998-09 has the authority to declare that a declaration and or emergency exists upon information received from the Delaware County Homeland Security/Emergency Management Director and the County Highway Superintendent or his/her designee, the Delaware County Sheriff or his/her designee; and,

WHEREAS: The Delaware County Homeland Security/Emergency Management Director or his/her designee shall be the responsible party to notify the County Commissioner(s) as to their findings and recommendation of the declaration or emergency.

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

SECTION 1: The Board of County Commissioners may declare one of three (3) declarations or emergencies set out in Section 3.

SECTION 2: The Board of County Commissioners authorize the Delaware County Emergency Management Director so that he/she may declare without prior authorization the Advisory and Watch levels set out in Section 3.

SECTION 3: There shall be three (3) classifications of travel situations or catastrophes to control county highway use:

**TRAVEL WARNING:** A state of emergency has been declared by the Board of County Commissioners. Travel is restricted to emergency personnel. All county roadways are closed, and no one should be out during these conditions. No non emergency vehicle(s) shall be on county roads. Further restrictions may be included in the declaration.

**TRAVEL WATCH:** Travel conditions have developed that are threatening to the safety of the public. Only essential travel is recommended (i.e. to and from work, for medical emergencies, home necessities, or other emergency situations). Emergency action plans have been or should be implemented by businesses, schools, government agencies and other organizations.

**TRAVEL ADVISORY:** Routine travel or activities may be restricted in areas because of a hazardous situation (i.e. blowing and drifting snow, icy roadways, flooding, downed trees or poles, etc.); citizens should drive with caution or avoid these areas. Schools and businesses may begin to implement their emergency action plans.

SECTION 4: Any person who violates this Ordinance shall be subject to a Class C Infraction. Any vehicle in violation of the ordinance is subject to removal by towing, or other means, at the expense of the owner as deemed necessary by but not limited to, the Delaware County Emergency Management Agency, the Delaware County Highway Department or the Delaware County Sheriff's Department, in addition the Delaware County Courts may direct the violator to repay Delaware County for any monetary losses or expenses incurred as a result of the infraction.

SECTION 5: Those vehicles exempt from this ordinance shall include: medical assistance, public safety, emergency management, public utility, and media vehicles, employees of any of the above engaging in official duties, and those tending to agricultural needs.

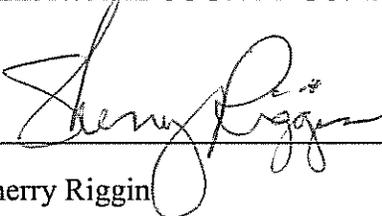
SECTION 6: The County will not be held liable for any damage done to any vehicle that has impaired the clearing of any county roadway.

SECTION 7: Publication and broadcast of the proclamation of any of the above classified declarations shall be released by the Office of the Delaware County Commissioners or the Emergency Management Agency.

SECTION 8: This Ordinance shall be in full force and effect pursuant to publication and Indiana Law.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, INDIANA THIS 20 DAY OF January, 2015.

DELAWARE COUNTY COMMISSIONERS:

  
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Sherry Riggins

  
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Shannon Henry

  
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James King

ATTEST:   
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Steven Craycraft, Auditor