

IC 10-14-3-29 Local disaster emergency

Sec. 29. (a) A local disaster emergency:

(1) may be declared only by the principal executive officer of a political subdivision; and

(2) may not be continued or renewed for more than seven (7) days except by or with the consent of the governing board of the political subdivision.

Any order or proclamation declaring, continuing, or terminating a local disaster emergency shall be given prompt and general publicity and shall be filed promptly in the office of the clerk of the political subdivision.

(b) The effect of a declaration of a local disaster emergency is to:

(1) activate the response and recovery aspects of all applicable local or interjurisdictional disaster emergency plans; and

(2) authorize the furnishing of aid and assistance under the plans.

(c) An interjurisdictional agency or official may not declare a local disaster emergency unless expressly authorized by the agreement under which the agency functions. However, an interjurisdictional disaster agency shall provide aid and services according to the agreement.

(d) If a local disaster emergency is declared under this section, the political subdivision may not prohibit individuals engaged in employment necessary to:

(1) maintain a safe rail system;

(2) restore utility service; or

(3) provide any other emergency public service;

from traveling on the highways within the political subdivision during the local disaster emergency.

(e) If a local disaster emergency is declared under this section, the political subdivision may not prohibit individuals trained and certified as first response broadcasters, as set forth in section 22.5 of this chapter, from traveling on the highways within the political subdivision during the local disaster emergency.

(f) If a local emergency is declared under this section, the political subdivision may not prohibit individuals trained and

certified as first response communications service providers, as set forth in section 22.6 of this chapter, from traveling on the highways within the political subdivision during the local disaster emergency.

[Pre-2003 Recodification Citation: 10-4-1-23.]

As added by P.L.2-2003, SEC.5. Amended by P.L.172-2014, SEC.7.