

## **SUMMARY OF MODEL EMERGENCY MANAGEMENT ORDINANCES AND AGREEMENTS**

The following model emergency management ordinances and agreements were developed jointly by ACCG and the Georgia Emergency Management Agency for use by local governments during times of disaster. Please note that the ordinances and agreements should be reviewed by the county attorney prior to adoption. The ordinances may be accessed and downloaded through the ACCG web site at [www.accg.org](http://www.accg.org) under "Legal Services." Please contact Kelly Pridgen at (404) 522-5022 with any questions about the ordinances and agreements.

- **Ordinance Authorizing The Imposition Of Curfews During Times Of Emergency Or Disaster:** This ordinance allows the Board of Commissioners to institute a curfew either: (1) following a declaration of a state of emergency by the Governor; or (2) following the existence of an emergency or disaster as determined by the Board of Commissioners. The curfew is instituted through the adoption of a resolution specifying the dates, hours and territory within the county to which the curfew applies. The curfew does not apply to individuals rendering emergency services (e.g., EMA employees, fire department employees, law enforcement employees, rescue workers, medical service providers, utility repair employees, military personnel, etc.). The resolution instituting curfew may also exempt other individuals (e.g., news media employees, regular employees of local industries, building and repair contractors, etc.) in the discretion of the Board of Commissioners.
- **Ordinance Authorizing The Suspension Of Portions Of The Code Of Ordinances And Other Formalities During a State of Emergency:** This ordinance allows the Board of Commissioners to waive certain formalities during a state of emergency: (1) Commission meetings may be held at places other than the regular meeting place -even outside of the county; (2) Regular purchasing procedures (i.e., placing a notice of bidding a project in the legal organ and at the courthouse for four weeks prior to the acceptance of a contract, letting out contracts only to the lowest bidder, etc. ) may be suspended; (3) Enforcement of certain portions of the code of ordinances may be suspended when normal application of the code would be inconsistent with the public health, safety and welfare; (4) The Board of Commissioners may suspend or reduce permit fees, application fees or other rate schedules to encourage the rebuilding of the area impacted by the disaster; and (5) The Board of Commissioners may administratively allow the placement of temporary housing that might otherwise be prohibited by the zoning regulations.
- **Ordinance To Prohibit Overcharging Of Goods, Materials, Services And Housing During A State Of Emergency:** This ordinance prohibits price gouging during a state of emergency and up to 6 months following the emergency declaration.

- **Ordinance To Require Registration of Building and Repair Contractors During a State Of Emergency:** This ordinance requires individuals or businesses that provide building, construction, repair and renovation services to register and receive a certification from the county during a state of emergency and up to 3 months following the Governor's emergency declaration. The certifications are not transferable. Failure to comply will result in a fine up to \$1000 and/or 60 days imprisonment.
- **General Release Agreement:** This agreement, between property owners and the county, releases the county from any liability for actions performed on private property during an emergency or disaster.
- **Emergency and Disaster Mutual Aid Agreement:** This agreement between counties allows participating counties to work together when an emergency or disaster occurs within one of their jurisdictions. It is triggered by either the local EMA Director or the Board of Commissioners' designee. The county receiving any assistance pursuant to the agreement is responsible for reimbursing the assisting county for compensation paid to employees, travel and maintenance expenses, and loss or damage to equipment. Please note that this is mutual aid agreement for emergency management services. It is not the mutual aid resource pact for fire protection services under O.C.G.A. § 25-6-1 et seq. or the mutual aid agreement for law enforcement and fire protection services under O.C.G.A. § 36-69-1 et seq.