

Noble County Board of Commissioners:  
ORDINANCE NO. 2008-3  
An Ordinance Addressing Weather Related emergencies  
**SNOW EMERGENCY ORDINANCE OF NOBLE COUNTY, INDIANA**

**WHEREAS**, The Board of Commissioners of Noble County ("Board") previously adopted Ordinance No 2001-2 which was adopted for the purpose of declaring weather related emergencies in Noble County, Indiana;

**WHEREAS**, it is the intent of this Ordinance to keep the residents of Noble County informed of the weather related county road conditions, and assist the county highway department in clearing the county roadways by eliminating stranded vehicles, and

**WHEREAS**, it is the duty of public officials to preserve the public safety and welfare of the residents of Noble County, Indiana.

**BE IT THEREFORE ORDAINED BY THE BOARD THAT:**

**Section 1. Title**

This ordinance shall be known as the Snow Emergency Ordinance of Noble County, Indiana and shall apply to all roads, highways or right-of-way maintained by the Noble County highway Department ("Roads").

**Section 2. Procedure**

The Board, after consultation with:

The Noble County Sheriff;

The Emergency Management/Department Homeland Security Director, and;

The Noble County Highway Superintendent,

if available, or the respective representative designated by each as the person to consult in his/her absence for the purpose of recommending a snow emergency declaration, may declare a snow emergency by executive order when, in the Board's judgment, such order would be in the best interest of the public safety and welfare of the residents of Noble County, Indiana.

If only one member of the Board is available, he/she can declare a snow emergency if at least two of said officials (or the respective designated representatives of each; i.e. Sheriff, EMA and Highway) also recommend a declaration.

If no members of the Board are available to declare a snow emergency, then all three of said officials (or the respective designated representatives of each) may declare a snow emergency.

The above mentioned Board members and/or officials or their respective designees who declare a snow emergency shall designate whether it is a Level 1 (declared) Snow Emergency or a Level 2 (Warning) Snow Emergency or a Level 3 (Watch) Snow Emergency based on the criteria set forth in section 3 below.

Such emergency shall continue in effect until the above mentioned Board members and/or Officials or their respective designees who declared the emergency thereafter determine an emergency no longer exists and terminate the emergency order.

**Section 3. Levels Defined**

A snow emergency declaration pursuant to this Ordinance shall consist of three (3)-levels in order to keep the residents of Noble County, Indiana informed of the weather and county road conditions, and to assist County highway Department in the clearing of the county roadways by eliminating stranded vehicles:

**3.1 A Level I (Red) Snow Emergency**

This level may be declared when Roads have become impassable and the County Highway Department are not able to keep the Roadways cleared due to

severe snow fall and high winds producing high drifts and blizzard like conditions are present. Travel may be restricted to emergency personnel ONLY and essential emergency travel by members of the public Further restrictions that the Board deems necessary maybe enacted at this time.

### **3.2 A Level 2 (Orange) Warning Snow Emergency**

This level may be declared when conditions are threatening to the safety of the public. Only essential travel is recommended (i.e. to and from work, emergency situations, etc.). Emergency action plans have been or should be implemented by businesses, schools, government agencies and other organizations.

### **3.3 A Level 3 (Yellow) Watch Snow Emergency**

This level may be declared when routine travel or activities may be restricted in areas of the county because of a hazardous situation; citizens should use caution or avoid these areas. Schools and businesses may begin to implement their emergency action plans.

### **Section 4. Publication**

Publication and broadcast of a Level 1,2, or 3 Snow Emergency declaration order shall be made or caused to be made by the Board or other officials designating the level of the snow emergency using a press release to all Law Enforcement agencies, Fire Departments, Hospitals and News Media. The declaration shall be filed with the Noble County Emergency Management/Department of Homeland Security, State Department of Homeland Security, Noble County Clerk and Noble County Auditor.

### **Section 5. Exemptions**

Those vehicles exempt from this Ordinance shall include medical assistance, law enforcement, fire department, emergency management, public utility, and fuel hauling vehicles, and employees of any of the above exempt services, if engaged in performing their respective duties. Any other vehicles violating this Ordinance are subject to removal by towing or other means at the expense of the owner of the vehicle, when such towing and/or removal is deemed necessary by anyone or more of the following: the County Highway Department, the County Sheriff's Department, the State Conservation Officer, or the Indiana State Police.

### **Section 6. Penalties**

Any persons violating any provisions of this ordinance shall be guilty of the commission of an infraction and may be fined any sum not to exceed \$100.00 and such shall be enforceable in any court of law, duly authorized by Indiana State Law, and in addition to such fine the court shall be authorized to direct the violator to repay the County of Noble any monetary losses or expenses incurred in the incident.

### **Section 7. Repeal of Prior Ordinance**

The prior weather emergency ordinance, Ordinance Number 2001-02 is hereby repealed as of the effective date of this ordinance.

Signed and approved on this 8<sup>th</sup> day of December, 2008, by unanimous vote upon first reading.

Board of Commissioners of Noble County

Signed: Mark Pankop  
J. Hal Stump  
Jack W. Herendeen

Attest:  
Jacqueline Knafel, Auditor.