

## DECLARATION OF LOCAL DISASTER EMERGENCY

WHEREAS, the Town of Swayzee, Indiana (“Swayzee”) is a political subdivision of the State of Indiana;

WHEREAS, the undersigned is the duly elected Town Council President of Swayzee;

WHEREAS, Swayzee suffered widespread severe damage and loss of property from a windstorm on the night of March 31, 2023 of which Swayzee must take further action to protect the public peace, health, safety and to preserve the lives and property of the citizens of Swayzee;

WHEREAS, Indiana Code § 10-14-3-29(a)(1) permits the Swayzee Town Council President to declare a local disaster emergency to activate the response and recovery aspects of Swayzee’s emergency plans as well as to furnish aid and assistance in the response and recovery of the damage to Swayzee as well as to protect lives and property;

WHEREAS, Indiana Code also grants the Swayzee Town Council President authority to declare a local travel emergency upon the declaration of a local disaster emergency;

WHEREAS, a warning level local travel emergency means the travel may be restricted to emergency management workers only;

WHEREAS, under a travel warning, individuals are directed to (1) refrain from all travel, (2) comply with necessary emergency measures, (3) cooperate with public officials and disaster services in executing any emergency operations plans, and (4) obey and comply with the lawful directions of property identified officers.

THEREFORE, under the authority vested in me as Swayzee Town Council President by state law and local ordinance, it is hereby declared as follows:

1. I declare that due to the widespread severe damage from the windstorm on March 31, 2023 and to protect the peace, health, safety and to preserve the lives and property of the citizens of Swayzee a local disaster emergency exists in Swayzee.

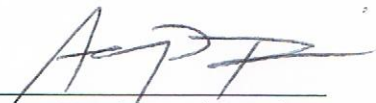
2. Under Indiana law I declare a warning level nighttime local travel emergency and mandatory nighttime curfew (collectively, the “Curfew”) applies to all public streets and public places in Swayzee as described below:

- a. The Curfew will be in effect from 9:00 p.m. on Saturday April 1, 2023, until 6:00 a.m. on Tuesday April 4, 2023.
- b. During the Curfew, no person may travel public streets or be in public places in Swayzee unless subject to an exemption under Section 2(c) of this Declaration.
  - i. The Curfew applies regardless of the method of travel on public streets or in public places, whether by automobile, motorcycle, bus, bicycle, scooter, foot or other means of moving from place to place.

- ii. For purposes of this order, “public streets” or “public places” means any place, whether on privately or publicly owned property, accessible to the general public. This includes, but is not limited to, streets and roads, alleys, driveways, sidewalks, parks, plazas, parking lots, and vacant lots.
  - c. The following individuals are exempt from the Curfew:
    - i. All law enforcement, fire and medical personnel.
    - ii. Members of the news media.
    - iii. Federal, state, or local public officials doing work deemed necessary by the public agency that employs them.
    - iv. Individuals traveling directly to or directly from work, seeking medical care, or fleeing from dangerous circumstances.
    - v. Individuals engaged in employment necessary to maintain a safe rail system, restore utility service or provide other emergency public services.
3. Any person who violates the Curfew commits a Class B infraction.
4. This Declaration will be given prompt and general publicity and be filed promptly with the Swayzee Clerk and will remain in effect through April 4, 2023, at 6:00 a.m. unless extended by further order.

Dated April 1, 2023

Town of Swayzee, Indiana

  
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Aaron Travis, President Swayzee Town  
Council