

Effective 5/12/2015

53-2a-208 Local emergency -- Declarations.

- (1)
 - (a) A local emergency may be declared by proclamation of the chief executive officer of a municipality or county.
 - (b) A local emergency shall not be continued or renewed for a period in excess of 30 days except by or with the consent of the governing body of the municipality or county.
 - (c) Any order or proclamation declaring, continuing, or terminating a local emergency shall be filed promptly with the office of the clerk of the affected municipality or county.
- (2) A declaration of a local emergency:
 - (a) constitutes an official recognition that a disaster situation exists within the affected municipality or county;
 - (b) provides a legal basis for requesting and obtaining mutual aid or disaster assistance from other political subdivisions or from the state or federal government;
 - (c) activates the response and recovery aspects of any and all applicable local disaster emergency plans; and
 - (d) authorizes the furnishing of aid and assistance in relation to the proclamation.
- (3) A local emergency proclamation issued under this section shall state:
 - (a) the nature of the local emergency;
 - (b) the area or areas that are affected or threatened; and
 - (c) the conditions which caused the emergency.
- (4) The emergency declaration process within the state shall be as follows:
 - (a) a city, town, or metro township shall declare to the county;
 - (b) a county shall declare to the state;
 - (c) the state shall declare to the federal government; and
 - (d) a tribe, as defined in Section 23-13-12.5, shall declare as determined under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Sec. 5121 et seq.
- (5) Nothing in this part affects:
 - (a) the governor's authority to declare a state of emergency under Section 53-2a-206; or
 - (b) the duties, requests, reimbursements, or other actions taken by a political subdivision participating in the state-wide mutual aid system pursuant to Title 53, Chapter 2a, Part 3, Statewide Mutual Aid Act.

Amended by Chapter 352, 2015 General Session