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CIVIL
DISTRICT COURT

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

NO.: 2020-09209 DIVISION: J

SEC. NO.: 15

CITY OF NEW ORLEANS

FILED: _____

DEPUTY CLERK

**MAYORAL PROCLAMATION OF EMERGENCY
DUE TO TROPICAL STORM ZETA**

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, confers upon the Mayor of the City of New Orleans emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake, or other natural or manmade causes, in order to ensure that preparations of this City will be adequate to deal with such emergencies or disasters, and to preserve the natural resources of the City, lives, and property of the people of the City of New Orleans; and,

WHEREAS, La. R.S. 29:727(F)(1) confers upon the Mayor the authority to suspend the provisions of any regulatory ordinance prescribing the procedures for conduct of local business, or the orders, rules, or regulations of any local agency, if strict compliance with the provisions of any ordinance, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency; and,

WHEREAS, a declaration of emergency is necessary to allow City agencies to thoroughly prepare for and respond to any eventuality and to allow state and federal agencies and state and federal resources to be deployed, if necessary; and,

WHEREAS, the National Weather Service advised on Tuesday, October 27, 2020, that the center of Tropical Storm Zeta is forecast to emerge off the northern coast

of the Yucatan peninsula and over the southern Gulf of Mexico on Tuesday morning, re-strengthening over the next 24 hours, and approaching the northern Gulf Coast on Wednesday; and,

WHEREAS, a northwestward motion with an increase in forward speed is expected on Tuesday, followed by a turn toward the north Tuesday night, and a faster northward to north-northeastward motion on Wednesday and Thursday; and,

WHEREAS, the latest forecasts from the National Hurricane Center expect Tropical Storm Zeta to be at or near hurricane strength when it moves ashore along the north-central Gulf Coast late on Wednesday, with significant risk of dangerous storm surge, wind, and rainfall hazards along the coast from Louisiana to the Florida Panhandle beginning Wednesday with the City of New Orleans near the center of the forecast cone of the storm center; and,

WHEREAS, the City of New Orleans may experience extreme weather as a result of Tropical Storm Zeta, including tropical storm force winds, storm surge, intense thunderstorms, and locally heavy rains that will likely produce flash flooding and coastal and river flooding, which may arrive as early as the morning of **Wednesday, October 28, 2020**; and,

WHEREAS, the above-recited threats to the health, safety, welfare, and property of the residents of the City of New Orleans are now imminent and emergency action must be taken;

NOW THEREFORE, I, LATOYA CANTRELL, Mayor and Chief Executive Officer of the City of New Orleans and the Parish of Orleans, by virtue of the authority vested in me as the Mayor of the City of New Orleans by the Constitution and laws of the State of Louisiana and the Home Rule Charter and laws of the City of New Orleans, do hereby declare pursuant to La. R.S. 29:727 that due to the above-recited circumstances, a disaster and state of emergency exists in the City of New Orleans, warranting the use of all extraordinary measures appropriate to ensure public health, safety, welfare, and convenience.

In furtherance of this declaration, the Superintendent of Police is hereby directed pursuant to the provisions of La. R.S. 40:1387, to take command and control of all peace officers and police officers within the City, when and if and to the extent that their services are needed to deal with the present emergency.

All available resources of the City of New Orleans and its boards and agencies are hereby ordered to be commandeered and utilized by the Emergency Authority for the purpose of performing or facilitating emergency services, when and if and to the extent that their resources are necessary to deal with the present emergency. The "Emergency Authority" as used in this Proclamation refers to the Superintendents of Police and of Fire under supervision of the Office of the Mayor through the Director of Homeland Security, or under direct supervision of the Office of the Mayor, all acting directly under the supervision and control of the Mayor of the City of New Orleans.

The direction, personnel, and functions of all local departments, agencies, and units are hereby transferred, to the extent necessary, to the Emergency Authority for the purpose of performing or facilitating emergency services.

The Emergency Authority may commandeer or utilize any private property if it finds this necessary to cope with the local disaster emergency.

The Emergency Authority, on my order as Mayor of the City of New Orleans and Chief Executive Officer of the Parish of Orleans, is hereby empowered to direct and compel the evacuation of any and all persons from any part of the City deemed by the Emergency Authority to be suitable for evacuation, if necessary for the preservation of life or other disaster mitigation, response, or recovery in accordance with the provisions of Ordinance No. 22,247 M.C.S.

The Emergency Authority is hereby empowered to prescribe the routes, modes of transportation, and destinations for such evacuation, if necessary, to control ingress and egress to and from the disaster area and the movement of persons and occupancy of premises therein.

Subject to the provisions of Act 275 of 2006 (Regular Session), the Emergency Authority is hereby empowered, if necessary, to suspend or limit the sale, dispensing, or transporting of alcoholic beverages, firearms, explosives, and combustibles.

The Emergency Authority is hereby empowered and directed in conjunction with HANO, HUD, and any other appropriate agencies, public and private, to make provisions for the availability and use of temporary emergency housing, if necessary.

The Superintendents of Fire and Police are directed to take all necessary steps within legal bounds to ensure that no looting or arson occurs within any area ordered evacuated.

The Emergency Authority is hereby empowered to suspend the provisions of any regulatory ordinance prescribing the procedures for conduct of local business, or the orders, rules, or regulations of any local agency, if strict compliance with the provisions of any ordinance, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency.

The Emergency Authority is hereby authorized to invoke any relevant provisions of the City Code.

The City Attorney is directed to file this proclamation promptly in the office of the Clerk of Court and arrange for it to be given prompt and general publicity.

WITNESS my hand in New Orleans, Louisiana this 27th day of October, 2020.



LATOYA CANTRELL, MAYOR