

# **INSTRUCTIONS for DECLARING A STATE OF EMERGENCY AND ISSUING EMERGENCY ORDERS**

## **A. INSTRUCTIONS FOR DECLARING A LOCAL STATE OF EMERGENCY:**

1. Only the County Executive, or a person acting for the County Executive pursuant to section I.A.(2) of this plan, can declare a local State of Emergency for all of, or anywhere in, Empire County. Each Town Supervisor and City and Village Mayor can declare States of Emergency within their jurisdiction.
2. A local State of Emergency is declared pursuant to section 24 of the State Executive Law.
3. It can be declared in response to, or anticipation of, a threat to public safety.
4. A declaration of a local State of Emergency may be verbal or written.
5. If it is verbal, it is best to follow it with a written format.
6. The declaration should include the time and date, the reason for the declaration, the area involved, and the expected duration.
7. The written declaration should be kept on file in the County Clerk's Office and filed within 72 hours or as soon as practicable in the State Office of Emergency Management and the Office of the Secretary of State.
8. A local State of Emergency must be declared BEFORE Emergency Orders are issued.
9. A local State of Emergency should be formally rescinded when the declaration is no longer needed.
10. Only the County Executive, or person acting for, may rescind a local State of Emergency.
11. Though a rescission may be verbal or written, if the declaration was written, the rescission should also be written.
12. The rescission should include the time and date of the original declaration, the reason for the local State of Emergency, and the time and date the State of Emergency is rescinded.
13. The written rescission should be kept on file in the County Clerk's Office.

# STATE OF EMERGENCY DECLARATION

*A State of Emergency is hereby declared in \_\_\_\_\_ effective at  
(area within municipality, or entire municipality)*

*\_\_\_\_\_ on \_\_\_\_\_ .  
(time) (date)*

*This State of Emergency has been declared due to \_\_\_\_\_*

*\_\_\_\_\_  
(description of situation)*

*This situation threatens the public safety.*

*This State of Emergency will remain in effect until rescinded by a subsequent order.*

*As the Chief Executive of \_\_\_\_\_,  
(name of municipality)*

*I, \_\_\_\_\_, exercise the authority given me under  
(name of Chief Executive))*

*Section 24 of the New York State Executive Law, to preserve the public safety and hereby render all required  
and available assistance vital to the security, well-being, and health of the citizens of this Municipality.*

*I hereby direct all departments and agencies of \_\_\_\_\_ to  
(name of municipality)*

*take whatever steps necessary to protect life and property, public infrastructure, and provide such emergency  
assistance deemed necessary.*

*\_\_\_\_\_  
(Name)*

*\_\_\_\_\_  
(Signature)*

*\_\_\_\_\_  
(Title)*

*\_\_\_\_\_  
(Date)*