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CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

2019 JUL 10 PM 12: 50

STATE OF LOUISIANA

CIVIL DISTRICT COURT

NO. 2019-7188 DIVISION " " L-6 DOCKET

CITY OF NEW ORLEANS

FILED: \_\_\_\_\_ DEPUTY CLERK

MAYORAL PROCLAMATION OF EMERGENCY DUE TO INVEST 92L AND TROPICAL STORM/HURRICANE BARRY

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 a state 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, a declaration that a state of emergency is appropriate due to the City of New Orleans experiencing extreme rainfall and significant street flooding as a result of bands of thunderstorms from Tropical Invest 92L on July 10, 2019; and

WHEREAS, the National Weather Service has indicated that Tropical Storm/Hurricane Barry will form in the Gulf of Mexico as a result of Tropical Invest 92L,

and will likely produce heavy rainfall, flash flooding, coastal and river flooding, strong winds and the possibility of tornados, expected to arrive **Thursday, July 11, 2019**; and

**WHEREAS**, because of intense thunderstorms, and the further potential for tropical or hurricane force winds and further thunderstorms, the City of New Orleans may experience more wide-spread localized severe flooding and gale force winds which could result in the endangerment and threat of life, injury and possible property damage;

**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 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 the public health, safety, welfare, and convenience.

In furtherance of this declaration, the Superintendent of Police is hereby directed pursuant to the provisions of 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 such is needed to deal with the present emergency. The "Emergency Authority" as used in this Proclamation refers to the Superintendents of Police and of Fire under the 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 is hereby empowered to suspend the provisions of any regulatory ordinance prescribing the procedures for conduct of local business or the orders, rules, or regulation of any local agency, whenever in a particular set of circumstances strict compliance with any statute, order, rule or regulation would in any way, prevent, hinder or delay necessary action in coping with the 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, 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, as 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, as necessary, for the availability and use of temporary emergency housing.

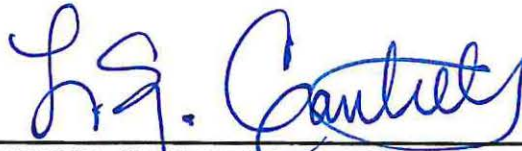
The Superintendents of Fire and Police are directed to take all necessary steps within legal bounds to ensure that no looting or arson occurs within any area ordered evacuated.

The Emergency Authority is hereby empowered to suspend the provisions of any ordinance or regulation ordinance prescribing the procedures for conduct of local business or the orders, rules, or regulation of any local agency, whenever in a particular set of circumstances strict compliance with any 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.

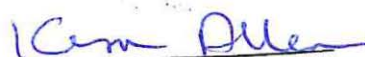
The City Attorney is directed to file this proclamation promptly in the office of the Clerk of Court.

**IN WITNESS** wherefore I have fixed my hand and the seal of the City of New Orleans this **10th** day of **July, 2019**.



LATOYA CANTRELL, MAYOR

**A TRUE COPY**

  
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PARISH OF ORLEANS  
STATE OF LA