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Miss. Code Ann. § 33-15-17

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§ 33-15-17. Local organization of **emergency** management.

(a) Each county and municipality, or counties and the municipalities therein acting jointly, or two (2) or more counties acting jointly, of this state are hereby authorized and directed to establish a local organization for **emergency** management in accordance with the state **emergency** management plan and program, if required and authorized so to do by such state **emergency** management plan. Each local organization for **emergency** management shall have a director who shall be appointed by the governing body of the political subdivision, or political subdivisions acting jointly, and who shall have direct responsibility for the organization, administration and operation of such local organization for **emergency** management, subject to the direction and control of such **governing** body. Each **local** organization for **emergency** management shall perform **emergency** management functions within the territorial limits of the political subdivision within which it is organized, and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of the state **emergency** management plan. Each county shall develop an **emergency** management plan and program that is coordinated and consistent with the State Comprehensive **Emergency** Management Plan and program. Counties that are part of an interjurisdictional **emergency** management agreement entered into pursuant to this section shall cooperatively develop an **emergency** management plan and program that is coordinated and consistent with the state **emergency** management plan and program.
(b) In carrying out the provisions of this article each county and municipality, or the two (2) acting jointly, or two (2) or more counties acting jointly, where there is joint organization, in

which any disaster as described in Section 33-15-5 occurs, shall have the power to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing **emergency** assistance to the victims of such disaster. Each county and municipality is authorized to exercise the powers vested under this section in the light of the exigencies of the extreme **emergency** situation without regard to time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes and the appropriation and expenditure of public funds.

(c) Each county and each municipality, or two (2) or more counties acting jointly, shall have the power and authority:

(1) To appropriate and expend funds, make contracts, obtain and distribute equipment, materials, and supplies for **emergency** management purposes; provide for the health and safety of persons and property, including **emergency** assistance to the victims of any enemy attack or man-made, technological or natural disasters; and to direct and coordinate the development of **emergency** management plans and programs in accordance with the policies and plans set by the federal and state **emergency** management agencies;

(2) To appoint, employ, remove, or provide, with or without compensation, air raid wardens, rescue teams, auxiliary fire and police personnel, and other **emergency** management workers;

(3) To establish, as necessary, a primary and one or more secondary **emergency** operating centers to provide continuity of government, and direction and control of **emergency** operation during an **emergency**;

(4) To donate public funds, supplies, labor and equipment to assist any governmental entity in a county or municipality in which a disaster as described in Section 33-15-5 occurs;

(5) Subject to the order of the Governor, or the chief executive of the political subdivision, to assign and make available for duty, the employees, property or equipment of the subdivision relating to firefighting, engineering, rescue, health, medical and related services, police, transportation, construction, and similar items or services for **emergency** management purposes either within or outside of the limits of the subdivision;

(6) Subject to the order of the chief executive of the county or municipality or the Governor to order the evacuation of any area subject to an impending or existing enemy attack or man-made, technological or natural disaster;

(7) Subject to the order of the chief executive of the county or municipality or the Governor, to control or restrict egress, ingress and movement within the disaster area to the degree necessary to facilitate the protection of life and property;

(8) To enter into mutual aid agreements in the manner authorized by Section 33-15-19.

(d) A local **emergency** as defined in Section 33-15-5 may be proclaimed by the mayor or governing body of a municipality, or the president of the board of supervisors of a county or the governing body of a county. In the event a local **emergency** is proclaimed by the mayor of a municipality or the president of the board of supervisors of a county, the governing body of such municipality or the governing body of such county shall review and approve or disapprove the need for continuing the local **emergency** at its first regular meeting following such proclamation or at a special meeting legally called for such review. Thereafter, the governing body of such municipality or the governing body of such county shall review the need for continuing the local **emergency** at least every thirty (30) days until such local **emergency** is terminated, and shall proclaim the termination of such local **emergency** at the earliest possible date that conditions warrant. During a **local emergency**, the **governing**

body of a political subdivision may promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety. Such orders and regulations and amendments and rescissions thereof shall be in writing and shall be given widespread notice and publicity. The authorization granted by this section to impose a curfew shall not be construed as restricting in any manner the existing authority to impose a curfew pursuant to police power for any other lawful purpose.

History

Codes, 1942, § 8610-09; Laws, 1942, ch. 206; Laws, 1952, ch. 312, § 9; Laws, 1980, ch. 491, § 9; Laws, 1983, ch. 420, § 4; Laws, 1995, ch. 333, § 9; Laws, 2005, 5th Ex Sess, ch. 20, § 1; Laws, 2010, ch. 347, § 1; Laws, 2012, ch. 359, § 2, eff from and after July 1, 2012; Laws, 2019, ch. 364, § 1, eff from and after July 1, 2019.

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