

Meeting Notice & Agenda

# MARION CITY COUNCIL

Thursday, June 30, 2022 – 5 p.m.

Marion City Hall, 217 South Main Street, Marion, KY

## Special Meeting

Call to Order

## Business Agenda

1. Update on Lake George and Water Supply
2. Introduction and First Reading of Ordinance #22-12, entitled, "AN ORDINANCE OF THE CITY OF MARION, KENTUCKY AUTHORIZING THE MAYOR TO BAN OPEN BURNING AND DISCHARGING FIREWORK IN THE CITY LIMITS OF MARION, KENTUCKY"
3. Adjourn

EXECUTIVE ORDER NO. 22-03

EXECUTIVE ORDER

WHEREAS, on June 27, 2022, the City Council adopted Ordinance No. 22-12 authorizing the Mayor to ban open burning and the use of fireworks inside the city limits of Marion, Kentucky during Declared Emergencies, and

WHEREAS, on May 2, 2022, this Office declared an Emergency due to the levee failure of Lake George on April 29, 2022 and the City's water reserves were greatly compromised, and

WHEREAS, open burning and the use of fireworks during this period of a Declared Emergency when the City's water reserves are extremely limited and the potential for fire hazard would strain the City's reserves if necessitated to fight a fire,

NOW and therefore, I, Jared Byford, Mayor of the City of Marion, Kentucky, a City of the Home Rule Class, by virtue of the authority vested in me by Ordinance 22-12 having declared an Emergency to exist due to the loss of the City's main water reservoir, now hereby ban open burning and the use of fireworks inside the City Limits of Marion, Kentucky.

This Declaration of State of Emergency shall remain in effect until terminated by the issuance of another Executive Order when I determine that a state of emergency no longer exists and the exercise of extraordinary measures are no longer required for the protection of the public health, safety and welfare. This ban is in effect until this proclamation has been rescinded by public notice. I urge all City of Marion citizens and visitors to comply with this proclamation for the safety, protection, and preservation of all public and private properties and resources.

Signed on this the \_\_\_\_ day of June, 2022,  
at \_\_\_\_\_ CST.

Mayor Jared Byford  
City of Marion, Kentucky

**CITY OF MARION, KENTUCKY  
ORDINANCE NO. 22-12**

**AN ORDINANCE OF THE CITY OF MARION, KENTUCKY AUTHORIZING THE  
MAYOR TO BAN OPEN BURNING AND DISCHARGING FIREWORK IN THE CITY  
LIMITS OF MARION, KENTUCKY**

**WHEREAS**, the City of Marion operates a water and sewer enterprise; and

**WHEREAS**, on April 29, 2022 the City's water reserves were compromised by a levee breach; and

**WHEREAS**, the Mayor has declared a State of Emergency in the city limits of Marion due to the lack of water reserves and the general welfare requires that the water resources available to the City be put to the maximum beneficial use to the extent to which they are capable, and that the waste or unreasonable use or unreasonable method of use of water be prevented, and the conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interests of the people of the City and for the public welfare; and

**WHEREAS**, the City has determined that given the continued strain in supplying water and in the event of a fire in the corporate city limits the water supply could be insufficient to fight a fire and continue to provide water to the customers; and

**WHEREAS**, the City desires to provide the Mayor the authority to ban open burn and discharging of fireworks during the continued Declared Emergency.

**NOW, THEREFORE, BE IT ORDAINED BY THE** City Council of Marion, Kentucky that an emergency was declared by the Mayor of the City of Marion and a vote of two-thirds of the City Council members present affirmed the emergency as the necessity to conserve water and was deemed to be an immediate exigent need due to loss of Lake George and further given the water reserves which the City has, extra fire protection must be given during the Declared Emergency to protect the general health, welfare, and safety of the population of the City of Marion, now therefore:

**SECTION 1.** During a Declared Emergency related to drought or an insufficiency of water reserved by the Executive Authority of the City, the Mayor is authorized to ban open burning as provided in §93.12 and suspend the use of fireworks as provided in §93.04.

**SECTION 2.** Any person who violates the ban declared by the Mayor shall be guilty of a misdemeanor and shall be fined not more than \$500.00.

**SECTION 3.** That all ordinances in conflict herewith are, to the extent of the conflict, hereby repealed, and that this ordinance shall become effective upon its passage by law pursuant to Kentucky Revised Statutes.

COUNCIL MEMBERS	YES	NO
Donald Arflack	_____	_____
Phyllis Sykes	_____	_____
Darrin Tabor	_____	_____
Michael Byford	_____	_____
Dwight Sherer	_____	_____
D'anna Browning	_____	_____

It appearing that \_\_\_\_\_ Council Members voted for the adoption of this ordinance, and \_\_\_\_\_ voted against, with \_\_\_\_\_ abstaining, the Mayor declared the ordinance adopted.

INTRODUCED AND GIVEN FIRST READING: \_\_\_\_\_

GIVEN SECOND READING AND PASSED: Waived due to Declared Emergency

PUBLISHED IN THE CRITTENDEN PRESS: \_\_\_\_\_

\_\_\_\_\_  
JARED BYFORD, MAYOR

ATTEST: \_\_\_\_\_  
PAM ENOCH, CITY CLERK