

DECLARATION OF A LOCAL STATE OF EMERGENCY AND EMERGENCY ORDER

Village of Dundee Wide Spread and Extended Loss of Electrical Power Due to High Winds

January 09, 2024

I, Frederick Cratsley, Mayor of the Village of Dundee, County of Yates and State of New York do hereby declare a Local State of Emergency pursuant to the applicable laws of the State of New York, including, but not limited to Section 24 of the Executive Law of the State of New York and accordingly determines and therefore declare as an **EXECUTIVE ORDER** the following:

WHEREAS, on or about Tuesday, January 09, 2024 and anticipated to extend into Wednesday, January 10, 2024, the Village of Dundee and surrounding areas suffered and are anticipated to continue to suffer a storm containing high winds with gusts exceeding fifty (50) miles per hour; and

WHEREAS, such high winds are resulting in the uprooting of mature trees, breaking of large limbs from trees, damage to homes and other structures for more than twenty (24) hours; and

WHEREAS, such high winds and tree damage are causing widespread power outages to hundreds of homes in the Village of Dundee and surrounding areas; and

WHEREAS, those power outages are expected to last for extended periods of time, sometimes expected to extend beyond twenty (24) hours; and

WHEREAS, power outages have caused loss of heat to many homes in freezing weather; and

WHEREAS, warming centers have been established in the Dundee area for residents lacking heat in their homes; and

WHEREAS, power outages have caused many homes to lose a source of domestic water due to inability of well pumps to function; and

WHEREAS, due to the above circumstances, it is determined that there is a reasonable apprehension of the immediate danger thereof and accordingly public safety, health and welfare will be imperiled; and

WHEREAS, the Village government, through its Department of Public Works and its municipal water system is providing residents without a water source in their homes to acquire potable water free of charge; and

WHEREAS, as a result of emergency actions by the Village government to alleviate negative safety health, and welfare impacts on area residents unexpected expenditures have been necessitated by the Village government; and

WHEREAS, pursuant to NYS Executive Law § 24, when a State of Emergency is in effect, the Village Mayor may promulgate local emergency orders to protect life and property or to bring the emergency situation under control, and by law, upon reconsidering all the relevant facts and circumstances, such an order may be extended for additional periods not exceeding five (5) days each during the pendency of the state of emergency.

NOW, THEREFORE, I, FREDERICK CRATSLEY, Mayor of the Village of Dundee, by virtue of the authority vested in me as Chief Executive of the Village of Dundee, do hereby **find and order** as follows:

Section 1. A Local State of Emergency

A Local State of Emergency is hereby declared to exist within the Village of Dundee and shall remain in effect unless it is terminated, rescinded, or modified at an earlier date for a period of five (5) days from the date hereof. All emergency measures implemented by the Village of Dundee, in response to this emergency shall continue so long as the emergency conditions exist.

Section 2.

Abatement. Regardless of any other remedy or relief brought by the Village of Dundee, the Village Legal Counsel is and shall be authorized to commence actions or proceedings in the name of the Village, in a court of competent jurisdiction, to abate any violation of, or to enforce any provision of this Emergency Order. The Village Legal Counsel may enlist other services to perform the duties necessary to effectuate this provision.

Section 3. Remedies not exclusive.

- A. No remedy or penalty specified in this Emergency Order shall be the exclusive remedy or remedy available to address a violation described in this Emergency Order.
- B. Each remedy or penalty specified in this Emergency Order shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this Emergency Order or in any other applicable law.
- C. Any remedy or penalty specified in this Order may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this Emergency Order or in any other applicable law.
- D. In particular, but not by way of limitation, each remedy and/or

penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in NYS Executive Law § 24, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in NYS Executive Law § 24.

Section 4. Penalties.

In accordance with Executive Law Section § 24, any person who knowingly violates the provisions of this Order shall be guilty of a Class B Misdemeanor.

Section 5. Effective Date

This Executive Order shall take effect immediately.

Section 6. Duration of Local Emergency Order

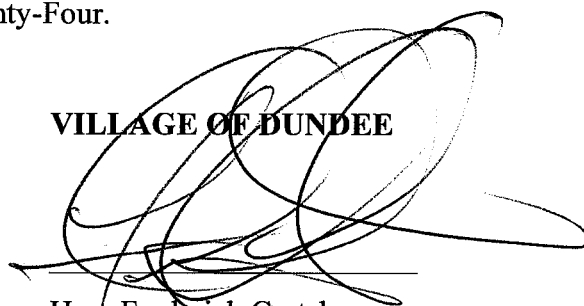
This Local Emergency Order shall remain in effect for five (5) days unless sooner modified, extended, or revoked, and may be extended for additional periods not to exceed five (5) days during the pendency of the Local State of Emergency.

Section 6. Public Notice, Execution, and Filing.

This Local Emergency Order shall be published as soon as practicable in a newspaper of general circulation in the area affected by such order and transmitted to the radio and television media for publication and broadcast. This Local Emergency Order shall be executed in quadruplicate and shall be filed within seventy-two hours or as soon thereafter as practicable in the Office of the Clerk of Yates County, the Clerk of the Village of Dundee, the Office of the Secretary of State of New York and the State Office of Emergency Management within the division of Homeland Security and Emergency Services.

GIVEN, under my hand and the Seal of the Village of Dundee, this 09 th Day of January, in the year Two Thousand Twenty-Four.

VILLAGE OF DUNDEE

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the bottom.

Hon. Frederick Cratsley
Mayor of the Village of Dundee
County of Yates and State of New York