

# THE GOVERNOR

## GOVERNOR'S OFFICE

### PROCLAMATION

#### Declaration of Disaster Emergency

*Whereas*, investigations made at my direction have disclosed that a series of severe winter storms, each with historical record amounts of snow accumulation, freezing rain, and high winds, have devastated certain areas of Pennsylvania within days of each other resulting in extensive road closures and other adverse life safety impacts upon the general population of the Commonwealth; and

*Whereas*, the emergency situation may be of such magnitude or severity as to render essential the Commonwealth's augmentation of county and municipal efforts and resources and the continuing activation of all applicable state, county and municipal emergency response plans;

*Now Therefore*, pursuant to the provision of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S.A. § 7101 et seq.) I do hereby proclaim the existence of a disaster emergency in Adams, Bedford, Berks, Blair, Bucks, Cambria, Carbon, Centre, Chester, Clearfield, Clinton, Columbia, Cumberland, Dauphin, Delaware, Fayette, Franklin, Fulton, Greene, Huntingdon, Indiana, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Lycoming, Luzerne, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Schuylkill, Snyder, Somerset, Sullivan, Susquehanna, Union, Wayne, Westmoreland, Wyoming and York, and I direct all Commonwealth departments and agencies to utilize all available resources and personnel as is deemed necessary for life safety purposes to cope with the magnitude and severity of this emergency situation.

*Further*, I hereby authorize the transfer of funds per Section 7307 to the Pennsylvania Emergency Management Agency for it to carry out duties outlined in the Emergency Management Services Code. The time-consuming bid and contract procedures and formalities normally prescribed by law shall be waived for the duration of this Proclamation, mandatory constitutional requirements excepted. All departments, agencies, boards and commissions of state government determined necessary by the Pennsylvania Emergency Management Agency shall assist.

*Further*, I hereby authorize the Secretary of the Department of Transportation in coordination with the Pennsylvania Emergency Management Agency to use all available equipment, resources, and personnel of the Department, in whatever manner that he deems necessary, to ensure that certain interstate or other federal and state highways in the declared disaster counties are cleared of snow resulting from the severe winter storm. In addition, I hereby waive any laws or regulation that would restrict the application and use of the Department's equipment, resources, and personnel to assist local jurisdictions in clearing and removal of snow from highways located in the declared disaster/emergency counties. However, any assistance provided to local jurisdictions, whether counties, cities, boroughs, or townships, shall be limited to snow plowing activities necessary to open and maintain one lane of roadway in each direction sufficient for the passage of emergency vehicles on collector roads and streets, and on minor and principal arterial roads. This assistance to local jurisdictions may be provided solely at the discretion of the Secretary of the Department of Transportation. However, this assistance does not apply to privately owned highways, roads, streets, or other types of property.

*Further*, The Department of Transportation shall have the right, notwithstanding any statutory allocation requirements to the contrary, to allocate funds to county maintenance districts incurring costs related to this disaster emergency.

## THE GOVERNOR

*Further*, the Commonwealth, its employees, agents or representatives engaged in any emergency services activities concerning snow removal, debris and wreckage removal, public health and safety activities, or other related functions within the declared disaster counties shall be entitled to receive the civil liability protection afforded to them by Sections 7303(c) and 7704 of the Emergency Management Services Code.

*Further*, pursuant to the powers vested in me by the Constitution and laws of this Commonwealth, I hereby authorize the Adjutant General of Pennsylvania to place on state active duty for the duration of the emergency, such individuals and units of the Pennsylvania National Guard, as requested by the Pennsylvania Emergency Management Agency, to alleviate the danger to public health and safety and due to the inability of local officials to respond to these severe winter storms; and

*Further*, should I determine that this emergency requires the immediate sheltering or evacuation of all or part of the population from the affected areas mentioned above, I hereby authorize the Pennsylvania State Police, the Pennsylvania National Guard, and the members of all city, borough, and township police departments, under the operational control of the Pennsylvania State Police, within the affected area to carry out and enforce my powers set forth in Subsection 7301(f) of the Emergency Management Services Code to control ingress to and egress from the affected area; the movement of persons within the area; or to order and compel the evacuation of the populations from the affected area. My decision to order any or all of these protective action measures will be disseminated through the Pennsylvania Emergency Management Agency.

*Further*, I hereby urge the governing bodies and executive offices of all political subdivisions affected by this emergency to act as necessary to meet the current exigencies as legally authorized under this proclamation.

GIVEN under my hand and Great Seal of the Commonwealth, this Seventh day of January, in the year of our Lord, one thousand nine-hundred and ninety-six, and of the Commonwealth, the two-hundred and twentieth.

*Governor*

[Pa.B. Doc. No. 96-70. Filed for public inspection January 19, 1996, 9:00 a.m.]