

ORDINANCE 64

AN ORDINANCE RELATING TO AIR RAID PRECAUTIONS IN THE VILLAGE OF BIRD ISLAND

WHEREAS, A state of war exists and air raid alarm periods and preparations for the blacking out of the village are essential precautions for the safety and protection of the people of the Village of Bird Island,

The Village Council of the Village of Bird Island do ordain as follows:

Section 1. Definitions. As used in this ordinance and in regulations adopted thereunder, the following phrases shall have the meanings given to them below:

(1) "Air raid warning signal"—a signal to indicate the beginning of a blackout or air raid alarm prescribed by the Adjutant General of Minnesota or other appropriate military authority, or in the absence of such prescription, by the president of the village council.

(2) "All-clear signal"—a signal to indicate the end of a blackout or air raid alarm prescribed by the Adjutant General of Minnesota or other appropriate military authority or, in the absence of such prescription, by the president of the village council.

(3) "Alarm period"—the interval of time between an air raid alarm signal and the following all-clear signal.

(4) "Blackout structure"—any area so enclosed that day illumination maintained or existing therein is not visible from any point outside such enclosure.

Section 2. Sounding Signals. The director of war emergency services shall cause the sounding of an air raid alarm signal and of an all-clear signal wherever the village or the district in which the village is located is directed to do so by the Adjutant General or other appropriate military authority, or, in the case of practice alarm periods, whenever he deems it advisable and is permitted to do so by such authority.

Section 3. Illumination During Alarm Periods Prohibited. Except as otherwise provided in this section, no person in an alarm period shall maintain any illumination or permit any illumination under his control to be maintained at any place within the village of Bird Island during the hours of darkness. The foregoing provision shall not apply to the following types of illumination:

- (1) Illumination within a blackout structure.
- (2) Illumination maintained by the armed forces of the United States or the state in the course of duty.
- (3) Illumination authorized by the president of the village council through regulations adopted under Section 5 of this ordinance.
- (4) Illumination maintained pursuant to permission granted in individual cases by the chief of police. The chief of police may grant such permission only when he finds it necessary for the preservation of the public safety or the maintenance of order or when he has been specifically authorized to grant such permission by an officer of the United States or the state acting within the scope of his authority.

If an alarm period is confined to a part of the village, the restrictions of this section shall apply only to that part of the village.

Section 4. Traffic during Alarm Periods. Except as hereinafter provided, no vehicle shall be moved on the streets of the village during an alarm period unless directed to be moved by a regular or auxiliary police officer or fireman displaying his official identification.

When a blackout signal is sounded, the operator of every vehicle in motion on the streets shall immediately bring the vehicle to a halt at the side of the street off the traveled portion of the roadway; but every such vehicle shall be halted clear of intersections, fire station entrances, fire hydrants, hospital entrances and other emergency areas. This section shall not apply to the emergency operation of vehicles of the armed forces of the United States or of the state, emergency vehicles as defined in the Minnesota highway traffic regulation act, or vehicles whose emergency movement is authorized by the chief of police or other appropriate authority and which display identification showing the character of their use and the authority under which they are operated.

If an alarm period is confined to a part of the village, the restrictions of this section shall apply to that part of the village.

Section 5. Emergency Regulations. Whenever necessary to provide adequately for the public health, order, and safety, the president of the village council may by proclamation promulgate regulations respecting illuminations and vehicular traffic during alarm periods and other air raid precaution measures to supplement the provisions of this ordinance. In framing regulations, the president of the village council shall consider suggestions and proposals made by the federal and state agencies concerned. Every proclamation of emergency regulations shall be in writing, shall be dated and shall be filed in the office of the village recorder, where a copy shall be kept posted and available for public inspection during business hours. A copy of every such proclamation shall also be conspicuously posted at the front of the village hall or other headquarters of the municipal government and at such other places as the president of the village council shall designate in the proclamation. Thereupon the regulation shall take effect immediately or at such later time as may be specified in the proclamation. Regulations affecting any practice alarm period shall be promulgated at least one week before the day on which the practice is held. The president of the village council may modify or rescind any such regulation by resolution at any time. If not sooner rescinded, every such regulation shall expire at the end of thirty days after its date except so far as its provisions may be embraced in ordinance regulations adopted by the village council.

Section 6. Simulating Signals. No unauthorized person shall operate a siren, whistle or other audible device so as to simulate an air raid warning signal or an all-clear signal.

Section 7. Interference with Light Switches. No unauthorized person shall interfere with the operation of electric lighting units by engaging or disengaging electric blackout switches constructed in connection with air raid precautions except where such action is necessary for civilian protection in an emergency or when it is ordered by law enforcement authorities.

Section 8. Telephone Use During Alarm Periods Restricted. No person, other than authorized military or civil personnel engaged in military or civil protection, shall make any telephone call during alarm periods except in cases of extreme emergency.

Section 9. Disobedience of Orders. No person shall disobey any direction or order given during an alarm period by a regular or auxiliary policeman or fireman displaying his official identifications.

Section 10. Prohibited Illumination a Public Nuisance. Any illumination contrary to the provisions of this ordinance or any ordinance pertaining to war emergencies or of any regulation adopted thereunder or of any federal or state law, regulation, or order shall be deemed a public nuisance. Any regular or auxiliary policeman

may abate such nuisance summarily or may take any other action necessary to enforce such provisions, including entry on private property and the use of what ever reasonable force is necessary.

Section 11. Suspension of Inconsistent Provisions. Except for war emergency ordinance and of all regulations promulgated thereunder shall be subject to all applicable and controlling provisions of federal and state laws and of regulations and orders issued thereunder from time to time and shall be deemed suspended and inoperative so far as there is any conflict therewith.

Section 13. Penalty. Any person who violates any provision of this ordinance or of any regulation adopted thereunder shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) or by imprisonment for not more than ninety (90) days.

Section 14. Effective Time. This ordinance shall take effect upon its passage and publication. This ordinance and every regulation adopted thereunder shall expire on the termination of a state of war unless sooner repealed or rescinded.

Passed by the Council this 24th day of November, 1942.

Acting President of Village Council

Gustave Steffen, Village Recorder

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