

ORDINANCE NO. 2022-01

AN ORDINANCE DECLARING AN EMERGENCY AND TEMPORARILY
SUSPENDING ENFORCEMENT OF ORDINANCE NO. 2018-07

WHEREAS, on December 10, 2021, and into the hours of December 11, 2021, one or more tornadoes, of at least EF-3 magnitude, made multiple direct hits/impacts in various areas of Marshall County, Kentucky, leaving behind a trail of devastation;

WHEREAS, the damage left behind by these one or more tornadoes, includes, but is not necessarily limited to, partial or complete destruction of multiple homes and other structures, severe damage to vital infrastructure, physical injuries to multiple persons, multiple reports of missing persons, and one or more fatalities;

WHEREAS, official declarations of disaster have been issued by both the President of the United States and the Governor of the Commonwealth of Kentucky in response to the aforementioned devastation;

WHEREAS, multiple locations at or near public boat docks and day-use parks sustained major damage;

WHEREAS, Ordinance 2018-07 regulates business on or about public boat docks and day-use parks;

WHEREAS, it is necessary under the circumstances to temporarily halt enforcement of Ordinance 2018-07 to allow clean-up operations and reconstruction to take place without fear of violating Ordinance 2018-07;

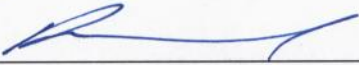
WHEREAS, pursuant to KRS 67.078, the Marshall County Fiscal Court is empowered to pass an ordinance with one reading and an immediate effective date;

NOW THEREFORE, Be It Ordained by the Marshall County Fiscal Court as follows:

1. A state of emergency exists and is therefore DECLARED in Marshall County, Kentucky, due to the devastating impacts of the one or more tornadoes mentioned above and the damage left behind on or about day-use parks and public boat docks.
2. In order to permit persons and entities to continue to undertake clean-up and reconstruction efforts without fear of violating Ordinance No. 2018-07, the enforcement of said ordinance is hereby temporarily suspended at the locations specifically described in Exhibit A attached hereto and incorporated herein by reference.

3. This Ordinance shall be effective immediately upon one reading and passage by the Marshall County Fiscal Court.
4. This Ordinance shall remain in effect until further action by the Marshall County Fiscal Court.
5. Nothing in this Ordinance shall be construed to limit or alter enforcement of any federal or state statute or regulation applicable to activity or conduct on or about those locations described in Exhibit A attached hereto.

Effective on this the 18 day of January, 2022, at 10:55 am/pm.



KEVIN NEAL, JUDGE-EXECUTIVE
Marshall County Fiscal Court

ATTEST: 
Fiscal Court Clerk

EXHIBIT A

1. Buckhorn Bay Day-Use-Park
2. Big Bear Day-Use-Park
3. Birmingham Point Day-Use-Park