

ORDINANCE NO. 27

AN ORDINANCE AUTHORIZING SCREENOUT, BLACKOUT, AND AIR RAID PROTECTION AND ESTABLISHING ORDERS, RULES AND REGULATIONS PERTAINING THERETO; PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; REPEALING ALL LAWS IN CONFLICT; DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the United States of America is now engaged in a war with foreign powers and the military defense of our nation is in the hands of our Army, Navy, and authorized defense forces; and

WHEREAS, in modern warfare no city, however distant from the enemy, is free from attack; and

WHEREAS, lights at night time are a definite aid to the enemy in reaching or attacking military and other objectives; and

WHEREAS, "blackouts", "screenouts", or other measures for military and civilian protection, when ordered by the Army, Navy, Defense Council, or other lawful authority are essential to the preservation of life and property in this Town, and to the protection from enemy attack by submarine or otherwise, of shipping off our shores, it is imperative that the Town of Golden Beach aid the military and civilian defense authorities by all possible cooperation and assistance; and

WHEREAS, failure to reduce, screen, or extinguish lights when ordered to do so by duly authorized authorities may result in loss of military and civilian life and property in this area, as well as the residents of other parts of the Nation, when lights are used as a guide to other objectives; and

WHEREAS, failure to comply with orders, rules and regulations governing evacuations, traffic movements, congregation of persons in streets and other public places will result in confusion and unnecessary loss of life or damage to property both during blackouts, screenouts, and during air raids in the night and daytime;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH:

Section 1. That in order to protect life and property in the Town of Golden Beach from enemy action and to protect shipping from submarine or other enemy attack, the Mayor is authorized and directed to carry out screenouts, blackouts and air raid protection measures, including regulating the speed of motor vehicles in said Town at such times and for such periods as are ordered by the Army, Navy, Defense Council, or other lawful authority, and to promulgate such orders, rules, and regulations as may be necessary to insure the success of the screenouts, blackouts, and to said protection measures and to protect life and property during said periods. Provided, that said orders, rules and regulations shall include traffic movements of emergency or other vehicles, evacuation of residents, and prohibiting the congregation of persons on public streets, sidewalks, in public places, or in buildings, but this enumeration shall not be taken as a limitation of the power to promulgate orders, rules and regulations governing any other subject, persons or property which must be regulated in order to insure the proper carrying out of any duly authorized screenout, blackout or air raid or other protection measures.

Sec. 2. That the Mayor may appoint for a specified time as many special police, without pay, from among residents of the Town of Golden Beach as may be deemed advisable for service in connection with any screenout, blackout or other protection measure or measures. During the term of service of such special police, they shall possess all the powers and privileges and perform all the duties of privates in the standing police force of the Town of Golden Beach. Said special police must wear such identifying emblem as may be prescribed by the Mayor, and it shall be unlawful for any said special policeman to attempt to carry out any orders, rules, or regulations promulgated under the authority conferred by this ordinance when he is not wearing said identifying emblem.

Sec. 3. That this ordinance is an exercise by the Town of Golden Beach of its governmental functions for the protection of the public peace, health and safety and neither the Town of Golden Beach nor any individual subject to regulations lawfully included herein or promulgated pursuant to authority herein conferred shall be liable for any damage sustained to person or property during, or as the result of, an authorized screenout, blackout or air raid or other protection measures.

Sec. 4. That when necessary in order to protect life or property during a screenout, blackout, air raid or other attack, the police, or the special police authorized herein, are authorized and directed to enter upon any premises within the Town of Golden Beach and to extinguish lights or to take other necessary action to make effective any orders, rules, or regulations promulgated under the authority conferred by this ordinance.

Sec. 5. From the time the official air raid signal is given, continuously until the all-clear signal is given thereafter, only the following types of traffic shall be permitted to move:

- a. Vehicles of the armed forces of the United States of America.
- b. Ambulances, and municipal, county, State and Federal police agencies and fire vehicles, and vehicles being then officially used by the several branches of the Civilian Defense Organization.
- c. Vehicles actually in emergency service for the repair or control of public utility equipment, whether privately or publicly owned.
- d. Vehicles of the Florida Defense Force under actual control of officers or enlisted men of the State Home Guards and actually in emergency service.
- e. Such other vehicles as may be permitted to move on special order of the Civilian Defense Commander, subject to such restrictions as the military authorities may impose.

Sec. 6. Vehicles described in paragraphs "a" and "b" of the preceding Section shall be deemed emergency vehicles and as such shall have general right-of-way over all other traffic; provided, ambulances, and municipal, county, State and Federal police agencies and fire vehicles shall have right-of-way over other emergency vehicles, except as may be determined by the military authorities. Operators of all other vehicular traffic shall:

- a. Immediately draw to the side of the road or street and stop in such a manner and in such a place so as not to obstruct the reasonable use of the road

or street, or any intersecting road or street, fire hydrant, or police or fire station driveway or other emergency driveway.

(1) During the period of such air raid alarm, parking regulations pertaining to lights, time limits, loading zones, distances from intersections and parking in prohibited zones shall be suspended, except insofar as their violation may constitute a violation of this ordinance.

b. Extinguish all lights.

c. Set the hand brake of such vehicle.

Sec. 7. Nothing in this ordinance contained shall operate to limit the authority of any police officer, air raid warden, or other duly authorized officer to prescribe the place and manner of the parking or storage of such vehicle or vehicles, in which event operators of vehicles shall immediately comply with the lawful directions of such officer or officers.

Sec. 8. During all screenouts, no person, firm or corporation shall operate any vehicle with more front lighting than the average parking light candle power or such candle power as may be now or hereafter prescribed by the United States Army, Navy or Defense Council so as to prevent said lights or the reflection thereof from being visible at such altitude as may be prescribed by such authority.

Sec. 9. Operators of vehicles moving under screenouts when no air raid signal has been given shall observe the following rules and regulations:

- a. No person shall drive or operate any vehicle, emergency vehicles excepted, at a speed in excess of 20 miles per hour in such areas that may be designated from time to time, nor in a manner so as to endanger the life, limb or property of any person in such area or areas designated by proper authorities.
- b. Operators shall obey and conform to all officially placed traffic signs, signals and markings, whether the same be of an emergency or temporary nature or not.
- c. Where special routes have been officially established, operators shall conform to such route designations both as to the direction and type of vehicle.
- d. Where speeds of less than 20 miles per hour are designated by official signs or markers or by direction of a police officer or other authorized officer, operators shall not drive vehicles in excess of such lowered speeds.
- e. No operator of a vehicle shall drive to the left of the center line of the roadway, one-way streets excepted, except in cases where the right-hand side of said roadway is impassable and then only in such a manner as not to endanger other traffic then and there lawfully upon said roadway.

f. No operator of a vehicle shall pass any other vehicle proceeding in the same direction and shall not drive within a distance of 25 feet from the vehicle immediately ahead proceeding in the same direction, except in cases where the pavement is of sufficient width to accommodate more than a single lane of travel in the same direction and where the operator of such following vehicle is in another lane than that of the vehicle which he is overtaking.

g. No operator of a vehicle shall turn said vehicle around on any street or roadway so as to proceed in the direction from whence he came.

Sec. 10. Pedestrians shall observe the following rules and regulations:

a. During screenouts and blackouts no person afoot shall cross or attempt to cross any street at any place other than an established cross walk except in compliance with the directions of an official sign or marking or under the direction of a police officer or other authorized person.

b. At all established crosswalks where traffic is controlled by a police officer or other authorized person or by official signs or signals, pedestrians shall obey the directions of such officer, sign or signal.

Sec. 11. Nothing in this ordinance contained shall be construed so as to regulate traffic upon the public streets and roadways at times other than during air raids, blackouts and screenouts. Under all other conditions, laws and ordinances now in effect and which shall hereafter be enacted shall remain in force and be effective. During the period of air raids, blackouts and screenouts all matters with reference to the control and regulation of traffic which are not specifically legislated upon herein shall be governed by other prevailing laws and ordinances which are now and may hereafter be effective.

Sec. 12. That in all blackouts, the rules and regulations herein applicable to air raids shall be in full force and effect.

Sec. 13. That no person shall wear any uniform of or wear, carry or display an Auxiliary Police Force, an Auxiliary Fireman, an Air Raid Warden or other Civilian Force identification card or insignia or otherwise deceitfully represent himself to be connected with any of such forces, unless he is in fact a member thereof.

Sec. 14. That any person, firm or corporation violating any of the provisions of this ordinance, or any orders, rules or regulations issued pursuant thereto, upon conviction thereof shall be punished by a fine not exceeding \$500.00 or by imprisonment not exceeding 60 days, or by both such fine and imprisonment, in the discretion of the Municipal Judge.

Sec. 15. That it is the intention of the Town Council that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the Town Council that if any provision of this ordinance be declared to be invalid, all other provisions thereof shall remain valid and enforceable.