

**Section 16-59. Emergency Powers of Health Officer**

- (a) Any other provisions of the law notwithstanding, if the Health Officer finds that a generalized condition of air pollution exists and that it creates an emergency requiring immediate action to protect human health or safety, the Health Officer shall order persons causing or contributing to the air pollution to reduce or discontinue immediately the emission of air contaminants. Upon issuance of any such order, the Health Officer shall fix a place and time, not later than twenty-four (24) hours thereafter, for a hearing to be held before the Air Pollution Control Hearing Board. Such hearing shall be held in conformity with the provisions of Section 16-71, insofar as applicable. Not more than twenty-four (24) hours after the commencement of such hearing, and without adjournment thereof, the Air Pollution Control Hearing Board shall affirm, modify or set aside the order of the Health Officer.
- (b) In the absence of a generalized condition of air pollution of the type referred to in subsection (a) of this section, but if the Health Officer finds that emissions from the operation of one or more air contaminant sources is causing imminent danger to human health or safety, he may order the person responsible for the operation in question to reduce or discontinue operations immediately, without regard to the provisions of this Chapter. In such event, the requirements for hearing and affirmance, modification or setting aside of orders set forth in subsection (a) of this section shall apply.

(Ord. No. 1265, §1, 4-25-72; Code 1967, §3-4.)