

8.01 POLICY AND PURPOSE.

1. DEFINITION.

"Civil Defense" shall mean the preparation for and the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to minimize and repair injury and damage resulting from disaster caused by enemy attack, sabotage, or other hostile action, or by fire, flood or other natural causes.

2. PURPOSE.

By reasons of the increasing possibility of disasters of unprecedented size and destructiveness, and to insure that preparations will be adequate to cope with such disasters, and to provide for the common defense, to protect the public peace, health, safety, and general welfare, and to preserve the lives and property of the people, it is hereby declared necessary:

To establish a local Civil Defense Organization.

To provide for the exercise of necessary powers during civil defense emergencies; and

To provide for the rendering of cooperation and mutual aid between this City and other political subdivisions.

3. POLICY.

It is further declared to be the purpose of this Chapter and the policy of the City that all civil defense functions of this City be coordinated to the maximum extent practicable with existing services and facilities of this City and with comparable functions of the Federal, State and County government and other political subdivisions, and of various private agencies to the end that the most effective preparation and use may be made of manpower, resources and facilities for dealing with any disaster that may occur.

8.02 CIVIL DEFENSE COMMISSION - HOW CONSTITUTED

1. CIVIL DEFENSE COMMISSION.

There is created a Civil Defense Commission composed of the Mayor and as many additional members as may be determined by the City Common Council, by resolution who shall be appointed by the Mayor, subject to the confirmation of the City Common Council, and who shall serve without compensation. The Mayor shall serve as Chairperson of the Commission and the Civil Defense Director shall serve as Secretary of the Commission.

2. DUTIES OF CIVIL DEFENSE COMMISSION.

The Civil Defense Commission shall be an advisory and planning group and shall advise the Mayor, Director and the City Common Council on all matters pertaining to civil defense. The Civil Defense Commission shall meet upon call of the Chairperson.

3. CIVIL DEFENSE DIRECTOR.

The City Common Council shall appoint a Civil Defense Director to carry out the purposes and policy of this chapter. The Civil Defense Director shall coordinate the Civil Defense of the City with the County Civil Defense Office and the Civil Defense Offices of the other political subdivisions necessary. The Civil Defense Director shall receive such compensation as may be established from time to time by the City Common Council.

8.03 USE OF CITY SERVICES

In preparation for and execution of emergency government operations, existing departments, agencies and facilities of the City shall be used to the maximum extent practicable.

8.04 EMERGENCY REGULATIONS

DECLARATION OF EMERGENCIES

Upon the declaration by the Governor, by the Mayor or the City Common Council in the absence of the Mayor, of a state of emergency, the Director of Emergency Government shall issue such disaster warnings or alerts as are required in the emergency government plan.

WHEN IN EFFECT

Emergency government operations may go into effect only during a declared emergency.

EMERGENCY PROCLAMATION

Whenever necessary to meet an emergency for which adequate regulations have not been adopted by the City Common Council, the Mayor, and in his/her absence, the City Common Council, may, by proclamation, promulgate and enforce such orders, rules and regulations relating to the conduct of persons and the use of property as shall be necessary to protect the public peace, health and safety and preserve lives and property and to insure the cooperation necessary in emergency activities. Such proclamation shall be posted in three public places and may be rescinded by the Board by resolution at any time.

4. TERMINATION OF STATE OF EMERGENCY.

A state of emergency shall continue until terminated by the issuing authority, provided that any such declaration, not issued by the Governor, may be terminated at the discretion of the Board.

8.05 PENALTIES

1. OBSTRUCTING EMERGENCY GOVERNMENT.

No person shall willfully obstruct, hinder or delay any person working with emergency government in the enforcement of any order, rule, regulation or plan issued pursuant to this chapter, nor shall any person do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this chapter.

2. PENALTY.

Any person who shall violate any provision of this chapter or any order, rule or regulation made hereunder shall be subject to a penalty as provided in Section 25.04 of this Municipal Code.