

TITLE 2. ADMINISTRATION AND PERSONNEL

CHAPTER 2.44

EMERGENCY MANAGEMENT PLAN

SECTIONS

2.44.1010	Purpose
2.44.1020	Definitions
2.44.1030	Emergency Management Director Appointment
2.44.1040	Powers and Duties of Emergency Management Director
2.44.1050	Authority of Emergency Management Director
2.44.1060	Emergency Management Plan
2.44.1070	Declaration of Emergency
2.44.1080	Violations
2.44.1090	Immunity from Private Liability
2.44.2000	Severability

2.44.1010 PURPOSE

The purpose of this section is to protect, through planning, training, and organization, and by authorizing the exercise of emergency powers as prescribed by this title, the lives and property of the citizens of the City of Stayton in the event of disaster. (Ord. 708, July 1992)

2.44.1020 DEFINITIONS

EMERGENCY: Any manmade or natural event of circumstance causing or threatening the life, injury to person or property, human suffering or financial loss, and includes, but is not limited to, fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills or releases of oil or hazardous material (as defined in ORS 466.605(7)), contamination, utility or transportation emergencies, disease, blight, infestation, crisis influx of migrants unmanageable by the county, civil disturbance, riot, sabotage, or war. (Ord. 874, section 10, 2004)

EMERGENCY MANAGEMENT: The preparation for and the carrying out of all emergency functions and prevention, minimization, and repair of damage resulting from an emergency; provided, however, that this term does not refer to the functions for which military forces are primarily responsible.

EMERGENCY MANAGEMENT AGENCY: An organization created and authorized under ORS 401.015 to 401.105, 401.260 to 401.325, and 401.355 to 401.580, by the state, county, or city, to provide for and ensure the conduct and

TITLE 2. ADMINISTRATION AND PERSONNEL

coordination of functions for comprehensive emergency program management. (Ord. 874, section 10, 2004)

EMERGENCY MANAGEMENT DIRECTOR: Appointed by the city administrator, the Emergency Management Director is responsible for preparing a plan for the provision of emergency services in the event of a disaster or emergency, for conducting necessary training sessions and practice drills, and for coordinating such emergency services during an actual emergency.

EMERGENCY MANAGEMENT PLAN: The Emergency Response Plan prepared for the City of Stayton.

EMERGENCY OPERATIONS CENTER: The City of Stayton Emergency Operations Center is in the city hall/police department/Santiam Canyon Communications Center building complex. They are located at 362 N. Third Avenue and 364 N. Third Avenue in Stayton. The Emergency Operations Center may be moved by authority of the Emergency Management Director when deemed necessary for safety and/or efficiency of operation.

EMERGENCY SERVICES: Those activities provided by state and local government agencies with emergency operational responsibilities to prepare for and carry out any activity to prevent, minimize, respond to, or recover from an emergency. These activities include, without limitation, coordination, preplanning, training, interagency liaison, fire fighting, oil and hazardous material spill or release clean-up (as defined in ORS 466.605(2)), law enforcement, medical health and sanitation services, engineering and public works, search and rescue activities, warning and public information, damage assessment, administration and fiscal management, and those measures known as “civil defense.” (Ord. 708, July 1992; Ord. 874, section 10, 2004)

2.44.1030 EMERGENCY MANAGEMENT DIRECTOR APPOINTMENT

The city administrator shall appoint an Emergency Management Director. (Ord. 708, July 1992)

2.44.1040 POWERS AND DUTIES OF THE EMERGENCY MANAGEMENT DIRECTOR IN PREPARATION FOR AN EMERGENCY

Subject to the direction and control of the city administrator or acting city administrator, the Emergency Management Director shall be empowered as follows:

1. Oversee and provide direction to the emergency management program.
2. Review the emergency management plan and recommend revision as necessary.

TITLE 2. ADMINISTRATION AND PERSONNEL

3. Activate the emergency operations center when needed.
4. Coordinate city emergency management activities.
5. Conduct exercises to test the plan and the capabilities of the city.
6. Attend timely update briefings with other policy group members when an EOC has been activated.
7. Facilitate training for emergency management personnel.
8. Represent the city in all emergency management activities.
9. Provide liaison with other emergency management offices and with volunteer organizations tasked with emergency responsibilities.
10. Carry out other specific responsibilities listed in plan. (Ord. 708, July 1992)

2.44.1050 AUTHORITY OF THE EMERGENCY MANAGEMENT DIRECTOR IN THE EVENT OF AN EMERGENCY

Subject to the supervision and control of the city administrator or acting city administrator, the Emergency Management Director shall be empowered during an emergency as follows:

1. To obtain vital supplies, equipment, and such other requirements as may be necessary for the protection of life and property and to bind the City of Stayton for the fair value thereof and, if necessary, to immediately commandeer the same for public use. These powers may be exercised in light of the circumstance of extreme emergency situations without regard to time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements) including, but not limited to, budget law limitations, the requirements of competitive bidding, the publication of notices, entering into public works contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, and the expenditure of public funds.
2. To requisition necessary personnel and/or material of any of the city's departments or agencies.
3. To require the emergency services of any city officer or employee, and, after the declaration of an emergency pursuant to ORS 401.015 to ORS 401.580, to command the aid of as many citizens as are necessary; provided, however, that such persons shall be entitled to all privileges, benefits, and immunities provided

TITLE 2. ADMINISTRATION AND PERSONNEL

by state law for registered emergency service volunteers. (See ORS 401.355 to ORS 401.465) (Ord. 708, July 1992; Ord. 874, section 11, 2004)

2.44.1060 EMERGENCY MANAGEMENT PLAN

The Stayton City Council shall adopt an Emergency Management Plan by separate resolution. (Ord. 708, July 1992)

2.44.1070 DECLARATION OF EMERGENCY

1. The Stayton City Council may declare a state of emergency and request emergency services and assistance from local, state, and federal agencies. A declaration of emergency shall be communicated to Marion County pursuant to ORS 401.055(2). (Ord. 874, section 12, 2004)
2. In the event a quorum of the Stayton City Council cannot be assembled within a reasonable time, the authority to declare an emergency is hereby delegated first to the mayor, then to the council president, and then to the city administrator. If the city administrator is unable to act due to absence or incapacity, then the acting city administrator, then the emergency management director is hereby granted the authority to declare an emergency.
3. If the declaration of emergency is made by anyone other than the city council, then the council shall convene as soon as practicable to ratify the state of emergency.
4. The declaration of a state of emergency must include:
 - a. A description of the situation and the existing conditions; and
 - b. Delineation of the geographic boundaries of the emergency; and
 - c. Declaration that all appropriate resources have been expended by the city; and
 - d. A request for assistance. (Ord. 708, July 1992)

2.44.1080 VIOLATIONS

The following offenses shall be punishable as misdemeanors by a fine not to exceed Five Hundred Dollars (\$500.00) and/or by imprisonment not to exceed ninety (90) days.

1. No person shall willfully obstruct, hinder, or delay any member of the Emergency Management Organization in the enforcement of any lawful rule or regulation

TITLE 2. ADMINISTRATION AND PERSONNEL

issued pursuant to this section, nor in the performance of any duty required by this section.

2. No person shall wear, carry, or display, without authority, any means of identification as specified by the State Department of Emergency Services and/or which would be likely to mislead a member of the public into believing that such person is a member of the Emergency Management Organization. (Ord. 708, July 1992)

2.44.1090 IMMUNITY FROM PRIVATE LIABILITY

There shall be no liability on the part of any person, partnership, corporation, the State of Oregon, or any political subdivision thereof who owns or maintains any buildings or premises that have been designated by the disaster coordinator as a disaster shelter for any injuries sustained by any person while in or upon said building or premises as a result of the condition of said building or premises or as a result of any act or omission, or in any way arising from the designation of such premises as a shelter provided such person has entered, gone upon, or into said building or premises for the purpose of seeking refuge therein during an emergency; provided, however, that this section shall not apply to the willful act of such owner or occupant or his servants, agents, or employees. This section shall also apply to any practice drill authorized pursuant to this section. (Ord. 708, July 1992)

2.44.2000 SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed separate, distinct, and independent provision and shall not affect the validity of the remaining portions of the section. (Ord. 708, July 1992)