

CHAPTER 5

Emergency Government

5-5-1	Emergency Government – Definition
5-5-2	Emergency Government Director
5-5-3	Utilization of Existing Services and Facilities
5-5-4	Declaration of Emergency
5-5-5	Emergency Regulations
5-5-6	Obstruction of Emergency Government Organization

SEC. 5-5-1 EMERGENCY GOVERNMENT – DEFINITION.

Emergency Government 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 an enemy attack, sabotage or other hostile action or by fire, flood or other natural causes.

SEC. 5-5-2 EMERGENCY GOVERNMENT DIRECTOR.

- (a) **Appointment.** The emergency government director shall be a qualified person appointed by the Mayor, subject to confirmation by the Common Council.
- (b) **Duties and Powers.** The director shall be the executive head of the City Emergency Government organization and shall have direct responsibility for the organization, administration and operation of the organization, subject to the direction and control of the Mayor and the Common Council. In addition to such powers and responsibilities as may be imposed on him from time to time by the Common Council, he shall have the authority and it shall be his duty to:
 - (1) Coordinate all activities for Emergency Government within the City.
 - (2) Maintain liaison and cooperation with Emergency Government agencies and organizations of other political subdivisions and of the State and Federal Government.
 - (3) Participate in County and State Emergency Government activities upon request.
 - (4) Prepare a comprehensive general plan for the Emergency Government of the City and present such plan to the Common Council for approval.
 - (5) Subject to the approval of the Common Council, enter into a mutual agreement with other political subdivisions and file copies of any such agreements with the State Director of Emergency Government.
 - (6) Upon the declaration of an emergency, issue all necessary proclamations as to the existence of such state of emergency and such disaster warnings or alerts as shall be required in the Emergency Government plan.

SEC. 5-5-3 UTILIZATION OF EXISTING SERVICES AND FACILITIES.

In preparing and executing the Emergency Government Plan, the Director shall utilize the services, equipment, supplies and facilities of the existing departments and agencies of the City to the maximum extent practicable. When the common Council has approved of the plan, it shall be the duty of all municipal agencies and departments of the City to perform the duties and functions assigned by the approved plan.

SEC. 5-5-4 DECLARATION OF EMERGENCIES.

The Emergency Government organization shall take action in accordance with the Emergency Government plan only after the declaration of an emergency and issuance of the official disaster warning. Declaration of emergency shall be made by the Governor, the Mayor or, in his absence, by the Director. Such state of emergency shall continue until terminated by the issuing authority, provided that any declaration not issued by the Governor may be terminated by the Common Council.

SEC. 5-5-5 EMERGENCY REGULATIONS.

Whenever necessary to meet an Emergency Government emergency for which adequate regulations have been adopted by the Common Council, the Mayor and, in his absence, the Director of Emergency Government, may proclaim, promulgate and enforce orders, rules and regulations relating to the conduct of persons and the use of property which are necessary to protect the public peace, health and safety, and preserve lives and property, and to insure the cooperation in Emergency Government activities. Such proclamation shall be posted in three (3) public places and may be rescinded by resolution of the Common Council.

SEC. 5-5-6 OBSTRUCTION OF EMERGENCY GOVERNMENT ORGANIZATION

No person shall willfully obstruct, hinder or delay any member of the Emergency Government organization in the enforcement of any order, rule, regulation or plan issued pursuant to this Section or violate any order, rule, regulation or plan issued pursuant to the authority contained in this Section. Any person who shall violate any provision of this Section shall, upon conviction thereof, be subject to a penalty as provided in Section 1-1-7 of this Code.