

Chapter 26

Civil Emergencies*

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***Cross References** – Administration, Chapter 2; Fire Prevention and Protection, Chapter 34; Law Enforcement, Chapter 50

Section 26-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Civil Defense means 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.

(Code 1989, § 6.01)

Section 26-2. Civil Defense Director.

(a) *Appointment.* The chief of police shall serve as civil defense director unless otherwise designated by the common council.

(b) *Duties and Powers.* The director shall be the executive head of the city civil defense 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 or her from time to time by the common council, he or she shall:

- (1) Coordinate all activities for civil defense within the city.
- (2) Maintain liaison and cooperate with civil defense agencies and organizations of other political subdivisions and of the state and federal government.
- (3) Participate in county and state civil defense activities upon request.
- (4) Prepare a comprehensive general plan for the civil defense of the city and present such plan to the common council for approval.
- (5) Subject to the approval of the common council, enter into mutual aid agreements with other political subdivisions and file copies of any such agreements with the state director of civil defense.
- (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 civil defense plan.

(Code 1989, § 6.02(2))

Cross Reference – Officers and Employees, § 2-131 et seq.

Section 26-3. Utilization of Existing Services and Facilities.

In preparing and executing the civil defense 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 the plan, all municipal agencies and departments of the city shall perform the duties and functions assigned by the approved plan.

(Code 1989, § 6.03)

Section 26-4. Declaration of Emergencies.

The civil defense organization shall take action in accordance with the civil defense plan only after the declaration of an emergency and issuance of official disaster warnings. Declaration of emergency shall be made by the governor, the common council, the mayor, or, in his or her absence, by the director. Such state of emergency shall continue until terminated by the issuing authority, provided any declaration not issued by the governor may be terminated by the mayor.

(Code 1989, § 6.04)

Section 26-5. Emergency Regulations.

Whenever necessary to meet a civil defense emergency for which adequate regulations have not been adopted by the common council, the mayor, and in his or her absence, the director of civil defense, 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 ensure cooperation in civil defense activities. Such proclamations shall be posted in three public places and may be rescinded by resolution of the mayor.

(Code 1989, § 6.05)

Section 26-6. Obstruction of Defense Organization; Penalty.

No person shall wilfully obstruct, hinder, or delay any member of the civil defense 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 chapter shall be subject to a penalty as provided in Section 1-14.

(Code 1989, § 6.06)