

ORDINANCE NO. 285

AN ORDINANCE, PROVIDING FOR THE CIVIL DEFENSE OF THE CITY OF REDMOND, CREATING A CIVIL DEFENSE COUNCIL, DEFINING THE POWERS AND AUTHORITY THEREOF, AND DEFINING OFFENSES AND PRESCRIBING PENALTIES.

THE CITY COUNCIL OF THE CITY OF REDMOND DO ORDAIN AS FOLLOWS:

SECTION 1: Purposes. The declared purposes of this Ordinance are to provide for the preparation and carrying out of plans, including mock or practice drills, for the Civil Defense and protection of persons and property within the city in the event of a disaster, and to provide for the coordination of the Civil Defense and disaster functions of this city with all other public agencies and affected private persons, corporations and organizations. Any expenditures made in connection with such Civil Defense and disaster activities, including mutual aid activities, and mock or practice drills, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City of Redmond.

SECTION 2: Definitions.

A. Civil Defense. As used in this Ordinance, the term "Civil Defense" shall mean the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters. It shall not include, nor does any provision of this Ordinance apply to any condition relating to a labor controversy.

B. Disasters. As used in this Ordinance, the term "disaster" shall mean actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic, riot, earthquake or other similar public calamity.

SECTION 3: Civil Defense Council - Membership. The Civil Defense Council of the City of Redmond, is hereby created and shall consist of the following:

- A. The Mayor, who shall be chairman.
- B. The Director of Civil Defense, who shall be vice-chairman.
- C. Such deputy directors and chiefs of operating Civil Defense and disaster departments, services or divisions as provided for by resolution pursuant to this Ordinance.
- D. Such city officials and other citizens of this city as may be appointed by the Mayor with the advice and consent of the City Council.

SECTION 4: Civil Defense Council - Powers and Duties. It shall be the duty of the Civil Defense Council of the City of Redmond, and it is hereby empowered, to review and recommend for adoption by the City Council, Civil Defense, and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements. The Civil Defense Council shall meet upon call of the chairman or in his absence, from the City or inability to call such meeting, upon the call of the vice-chairman.

SECTION 5: Director of Civil Defense - Powers and Duties. There is hereby created the office of Director of Civil Defense. Such officer shall be appointed by the Mayor with the advice and consent of the City Council.

The director is hereby empowered and directed:

- A. To prepare a Civil Defense operating plan for the City conforming to the county and State Civil Defense plan and program;
- B. To control and direct the effort of the Civil Defense organization of this city for the accomplishment of the purposes of this Ordinance;
- C. To direct coordination and cooperation between divisions, services and staff of the Civil Defense Organization of this City, and to resolve questions of authority and responsibility that may arise between them;
- D. To represent the Civil Defense Organization of this city in all dealings with public or private agencies pertaining to Civil Defense and disaster.

**SECTION 6: Director of Civil Defense-Disaster Powers.** In the event of disaster as herein provided, the director is hereby empowered;

- A. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such disaster; provided, however, such rules and regulations must be approved by the Civil Defense Council and confirmed by the City Council at the earliest practicable time;
- B. To obtain vital supplies, equipment and such other properties found lacking and immediately needed for the protection of the life and property of the people, and bind the city for the fair value thereof, and if required immediately, to commandeer the same for public use;
- C. To require emergency services of any city officer or employee, and to command the aid of as many citizens of this community as he thinks necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered Civil Defense worker volunteers;
- D. To requisition necessary personnel or material of any city department or agency;
- E. To execute all of the special powers conferred upon him by this Ordinance or by resolution adopted pursuant thereto, all powers conferred upon him by statute, agreement approved by the Civil Defense Council, or by any other lawful authority.

**SECTION 7: Civil Defense Organization.** All officers and employees of this city, together with those volunteer forces enrolled to aid them during a disaster, and all groups, organizations and persons who may be by agreement or operation of law, including persons pressed into service under the provisions of Section 6C of this Ordinance, who shall be charged with duties incident to the protection of life and property in this city during such disaster, shall constitute the Civil Defense Organization of the City of Redmond.

**SECTION 8: Civil Defense Organization-Divisions, Services and Staff.** The functions and duties of the City of Redmond Civil Defense Organization shall be distributed among such divisions, services and special staff as the City Council shall prescribe by resolution.

Prior to the adoption of said resolution, the Civil Defense Council shall prepare a plan setting forth the form of Organization, establishment and designation of divisions and services, the assignment of functions, duties and powers, the designation of officers and employees, and submit its recommendations to the City Council.

**SECTION 9: Mutual Aid Agreements.** The Mayor shall have the power to sign, on behalf of the City and the Civil Defense Council, mutual aid agreements with other municipalities, the county and other governmental subdivisions, which have been approved by the City Council; and all previous mutual aid agreements which have been signed by the

Mayor are hereby confirmed and ratified, provided the same, or parts thereof, are not inconsistent with this Ordinance.

SECTION 10: Punishment of Violations. It shall be a misdemeanor punishable by a fine of not to exceed \$300.00, or by imprisonment for not to exceed 90 days, or both, for any person during a disaster:

A. Willfully to obstruct, hinder or delay any member of the Civil Defense Organization in the enforcement of any lawful rule or regulation issued pursuant to this Ordinance, or in the performance of any duty imposed upon him by virtue of this Ordinance;

B. To do any act forbidden by any lawful rules or regulations issued pursuant to this Ordinance, if such act is of such a nature as to give, or be likely to give, assistance to the enemy, or to imperil the lives or property of inhabitants of this city, or to prevent, hinder, or delay the defense or protection thereof;

C. To wear, carry, or display, without authority, any means of identification specified by the State Department of Civil Defense;

D. To in any manner loot or carry off any items of value during the aftermath of a disaster.

SECTION 11: No Private Liability. No individual, firm, association, corporation or other party, owning, maintaining or controlling any building or premises who voluntarily and without compensation grants to the City of Redmond a license or privilege or otherwise permits said city to inspect, designate and use the whole or any part or parts of such building or premises for the purpose of sheltering persons during an actual, impending, mock, or practice attack, or their successors in interest, or the agents or employees of any of them, shall be subject to liability for 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 in connection with the upkeep or maintenance thereof, (except a willful act of misconduct) when such person has entered or gone into or upon said building or premises for the purpose of seeking refuge therein during destructive operations or attacks by enemies of the United States or during a mock or practice attack or test ordered by lawful authority, or during a disaster as defined herein.

SECTION 12: Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 13: Repeal. Ordinances Nos. 81 and all Ordinances or parts of Ordinances in conflict herewith are repealed, provided, that it is the intent of the City Council in enacting this Ordinance that it shall be considered a revision and continuation of the Ordinance repealed by this Ordinance, and the status of volunteers shall not be affected by such repeal; no shall Civil Defense mutual aid plans and agreements, rules and regulations or resolutions adopted pursuant to such repealed Ordinance be affected by such repeal until amended, modified, or superseded as provided in this Ordinance.


SECTION 14: Effective Date. This Ordinance shall take effect and be in force five (5) days after its publication in the manner required by law.

PASSED by the Council of the City of Redmond, Washington, at a regular meeting thereof this 25<sup>TH</sup> day of April, 1962.

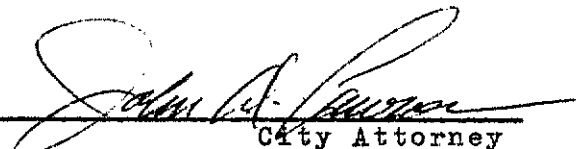
CITY OF REDMOND

  
MAYOR

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney