

Chapter 2.60 EMERGENCY SERVICES

Sections:

[2.60.010 Purposes.](#)

[2.60.020 Emergency defined.](#)

[2.60.030 Emergency response staff—Created—Membership.](#)

[2.60.040 Emergency response staff—Powers and duties—Meetings.](#)

[2.60.050 Emergency response manager—Office created—Powers and duties.](#)

[2.60.060 Emergency organization—Composition.](#)

[2.60.070 Emergency plan.](#)

[2.60.080 Expenditures.](#)

[2.60.090 Violation—Penalty.](#)

2.60.010 Purposes.

The declared purposes of this chapter are as follows:

- A. To provide for the preparation and carrying out of plans for the protection of persons and property within the city in the event of an emergency;
- B. To provide for the direction of the emergency organization; and
- C. To provide for the coordination of the emergency functions of the city with all other public agencies, corporations organizations and affected private persons.

(Prior code § 4-2.01)

2.60.020 Emergency defined.

For the purposes of this chapter, "emergency" means the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the city caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, earthquake or other conditions, including conditions resulting from war or the imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be, beyond the control of the services, personnel, equipment and facilities of the city, requiring the combined forces of other political subdivisions to combat.

(Prior code § 4-2.02)

2.60.030 Emergency response staff—Created—Membership.

- A. The city manager shall be designated as the emergency response manager and is authorized to activate the Colfax emergency plan. At his or her option, he or she may designate an alternate to serve in his or her stead.

Title 2 - ADMINISTRATION AND PERSONNEL

Chapter 2.60 EMERGENCY SERVICES

- B. Emergency response staff shall further be comprised of department representatives designated in the current emergency plan of the city adopted by resolution pursuant to the provisions of this chapter.

(Prior code § 4-2.03)

2.60.040 Emergency response staff—Powers and duties—Meetings.

It shall be the duty of the emergency response staff and it is empowered, to develop and recommend for adoption by the city council emergency and mutual aid plans and agreements and such laws, resolutions, rules and regulations as are necessary to implement such plans and agreements. The emergency response manager or in his or her absence from the city or inability to call such a meeting, upon the request of the person designated in the city emergency plan.

(Prior code § 4-2.04)

2.60.050 Emergency response manager—Office created—Powers and duties.

There is created the office of emergency response manager. The city manager or his or her designate shall be the emergency response manager and he or she is empowered to:

- A. Determine the existence or threatened existence of a "local emergency" and institute the city emergency plan.
- B. Request the Governor to proclaim a "state of emergency" when, in the opinion of the director, the locally available resources are inadequate to cope with the emergency.
- C. Control and direct the effort of the emergency organization of the city for the accomplishment of the purposes of this chapter.
- D. Direct cooperation between and coordination of the services and staff of the emergency organization of the city and resolve questions of authority and responsibility that may arise between them.
- E. Represent the city in all dealings with public or private agencies on matters pertaining to emergencies.
- F. In the event of the proclamation of a "local emergency," as provided in this section, the proclamation of a "state of emergency" by the Governor or the Director of the Office of Emergency Services of the state or the existence of a "state of war emergency," the manager is empowered to:
 1. Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations shall be confirmed at the earliest practicable time by the city council;
 2. Obtain vital supplies, equipment and such other properties found lacking and needed for the protection of life and property and bind the city for the fair value thereof and, if required immediately, to commandeer the same for public use;
 3. Require the emergency service of any city officer or employee and, in the event of the proclamation of a "state of emergency" in the county or the existence of a "state of war emergency," to command the aid of as many citizens of the community as he or she deems necessary in the execution of his or her duties. Such persons shall be entitled to all the privileges, benefits and immunities as are provided by state laws for registered disaster service workers;
 4. Requisition the necessary personnel or materials of any city department or agency; and

Title 2 - ADMINISTRATION AND PERSONNEL

Chapter 2.60 EMERGENCY SERVICES

5. Execute all of his or her ordinary powers, all of the special powers conferred upon him or her by the provisions of this chapter or by resolution or the emergency plan adopted pursuant to the provisions of this chapter and all powers conferred upon him or her by any statute, any agreement approved by the city council or by any other lawful authority. The emergency response manager shall designate the order of succession to that office, which order of succession shall take effect in the event the manager is unavailable to attend meetings and otherwise perform his or her duties during an emergency. Such order of succession shall be approved by the city council.

(Prior code § 4-2.05)

2.60.060 Emergency organization—Composition.

The emergency organization of the city shall consist of all officers and employees of the city, together with those volunteer forces enrolled to aid them during an emergency and all groups organizations and persons who, by agreement or operation of law, including persons pressed into service pursuant to the provisions of Section 2.60.050(F)(3) of this chapter, may be charged with duties incident to the protection of life and property in the city during such emergency.

(Prior code § 4-2.06)

2.60.070 Emergency plan.

The Colfax emergency response staff shall be responsible for the development of the city emergency plan, which shall provide for the effective mobilization of all the resources of the city, both public and private, to meet any condition constituting a local emergency, state of emergency or state of war emergency and which plan shall also provide for the organization, powers and duties, services and staff of the emergency organization. Such plan shall take effect upon adoption by resolution of the city council.

(Prior code § 4-2.07)

2.60.080 Expenditures.

Any expenditure made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be the direct protection and benefit of the inhabitants and property of the city.

(Prior code § 4-2.08)

2.60.090 Violation—Penalty.

It shall be a misdemeanor, punishable as set forth in Chapter 1.24 of this code, for any person during an emergency to:

- A. Wilfully obstruct, hinder or delay any member of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to the provisions of this chapter or in the performance of any duty imposed upon him or her by virtue of the provisions of this chapter;
- B. Do any act forbidden by any lawful rule or regulation issued pursuant to the provisions of this chapter if such act is of such nature as to give or be likely to give, assistance to the enemy or to imperil the lives or property of inhabitants of the city or to prevent, hinder or delay the defense or protection thereof; or
- C. Wear, carry or display, without authority, any means of identification specified by the Emergency Agency of the state.

Title 2 - ADMINISTRATION AND PERSONNEL

Chapter 2.60 EMERGENCY SERVICES

(Prior code § 4-2.09)