

ORDINANCE NO. 1146

AN ORDINANCE CONCERNING PROCEDURES FOR DEALING WITH EMERGENCIES IN THE CITY OF PRINEVILLE

THE PEOPLE OF THE CITY OF PRINEVILLE ORDAIN AS FOLLOWS;

(1) The conditions required for the declaration of a state of emergency within the City of Prineville shall be as set out in ORS 401.025(4), which provides: “ ‘Emergency’ includes any man-made or natural events or circumstance causing or threatening loss of 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, contamination, utility or transportation emergencies, disease, blight, infestation, crisis influx of migrants unmanageable by the county, civil disturbance, riot, sabotage and war.”

(2) A declaration of a state of emergency within the City of Prineville may be issued by the Prineville City Council or the City Manager or the City Manager’s designee (the City Manager or designee are hereafter referred to as “City Manager”). The City Manager may issue a directive establishing the city department heads who shall have the authority to declare an emergency, if the City Manager is unavailable at the time the emergency occurs. If an emergency is declared by a department head pursuant to the City Manager’s directive, then the City Manager shall resume authority to manage the emergency as soon as the City Manager is available. Any declaration of emergency by the City Manager shall be subject to review for ratification or other action that the City Council deems appropriate at an emergency meeting called as soon as practicable after the declaration of emergency, or if convening an emergency meeting is impracticable, at the next meeting of the City Council. A declaration of a state of emergency shall be terminated by the City Council when the state of emergency ceases to exist.

(3) The City Council may by resolution establish procedures to prepare for and carry out any activity to prevent, minimize, respond to or recover from an emergency. The resolution may provide for coordination with Crook County, the State of Oregon, or any other state or federal agency. The City Manager shall have the authorization to take action that includes, but is not limited to, the following measures:

- (a) redirect City funds for emergency use and suspend standard City procurement procedures;
- (b) establish a curfew which fixes the hours during which all persons other than officially authorized personnel may not be upon the public streets or other public places;
- (c) prohibit or limit the number of persons who may gather or congregate upon any public street, public place, or any outdoor place;

- (d) barricade streets and prohibit vehicular or pedestrian traffic, or regulate the same on any public street leading to the emergency area for such distance as may be deemed necessary under the circumstances;
- (e) evacuate persons;
- (f) prohibit the sale of alcoholic beverages,
- (g) prohibit or restrict the sale of gasoline or other flammable liquids,
- (h) prohibit the sale, carrying, or possession of any weapons or explosives of any kind on public streets, public places, or any outdoor place;
- (i) curtail or suspend commercial activity;
- (j) turn off water, gas, or electricity;
- (k) order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency;
- (l) adopt temporary emergency regulations to implement the foregoing powers, as necessary.

(4) The City Manager shall have the authority, in addition to the authority provided by this ordinance, to carry out the emergency duties or functions as prescribed by the resolution establishing procedures to deal with an emergency.

(5) No person shall knowingly violate any regulation promulgated pursuant to this ordinance, and imposed in a state of emergency declared under this ordinance. Violation of an emergency regulation shall be a Class A misdemeanor.

(6) In the event of a conflict between the provisions of this ordinance and any other ordinance of the City of Prineville, the provisions of this ordinance shall control.

(7) Any findings by any court of competent jurisdiction that any portion of this Ordinance is unconstitutional or invalid, shall not invalidate any other provision of this Ordinance.

Passed by the City Council this _____ day of August, 2007.

Signed by the Mayor this _____ day of August, 2007.

Mike Wendel, Mayor

ATTEST:

Robb Corbett, City Manager/Recorder