

**CITY OF CORDOVA, ALASKA
ORDINANCE 1063**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CORDOVA, ALASKA, ENACTING CORDOVA MUNICIPAL
CODE CHAPTER 3.45 ESTABLISHING THE CITY OF
CORDOVA EMERGENCY MANAGEMENT ORGANIZATION,
AND REPEALING CORDOVA MUNICIPAL CODE CHAPTER
3.44, CIVIL DEFENSE ORGANIZATION**

BE IT ORDAINED by the City Council of the City of Cordova, Alaska, that:

Section 1: Cordova Municipal Code 3.45, Emergency Management Organization, is enacted to read as follows:

Chapter 3.45
Emergency Management Organization

Sections:

- 3.45.010 Definitions
- 3.45.020 Emergency management organization
- 3.45.030 Purpose
- 3.45.040 Emergency operations plan
- 3.45.050 Interjurisdictional agreements
- 3.45.060 Declaration of disaster emergency
- 3.45.070 Emergency operations plan—Implementation
- 3.45.080 Limitation on governmental or private liability

3.45.010 Definitions. As used in this chapter:

“Disaster” means the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from any natural or nonmilitary man-made cause including, but not limited to, fire, flood, earthquake, landslide, mud slide, wind driven water, weather condition, volcanic activity, epidemic, air contamination, blight, infestation, explosion, riot, equipment failure, or shortage of food, water, fuel or clothing, or the release of petroleum products or a hazardous substance requiring prompt action to avert environmental danger or damage or, civil defense measures to mitigate or respond to acts of war toward the city or the United States of America by any enemy or the agents thereof.

“Disaster emergency” means the condition declared by proclamation of the city manager to designate the imminence or occurrence of a disaster. (Prior code § 11.50.010)

3.45.020 Emergency management organization. There is established an emergency management organization. The emergency management organization consists of the vice mayor, city manager, chief of police, city clerk, fire marshal, the chairman of the disaster management team, and others appointed by the mayor and confirmed by the

council as necessary. Executive and administrative duties of the emergency management organization are vested in the city manager. The city manager may coordinate and cooperate with the Alaska Division of Homeland Security and Emergency Management for response and relief of unforeseen emergencies and disasters. The city manager may appoint or hire personnel necessary to properly and safely accomplish the purpose of the emergency management organization.

3.45.030 Purpose. It is the desire of the City to protect and preserve the lives, health, safety, and well-being of the people living in or visiting the city. To this end, the emergency management organization shall be responsible for implementing the approved emergency operations plan, and shall be the liaison agency with the Alaska Division of Homeland Security and Emergency Management.

3.45.040 Emergency operations plan. There shall be an Emergency Operations Plan developed jointly with the Alaska Division of Homeland Security and Emergency Management which shall be adopted by ordinance. Major revisions of the plan may be amended by resolution with notification to the Alaska Division of Homeland Security and Emergency Management.

3.45.050 Interjurisdictional agreements. The city manager may, with council approval, enter into interjurisdictional agreements with other political subdivisions and the Alaska Division of Homeland Security and Emergency Management, for mutual aid in response to and recovery from disaster emergencies.

3.45.060 Declaration of disaster emergency. A local disaster emergency may only be declared by the mayor or the mayor's designee. If the city council is not in session when a disaster emergency proclamation is issued, a special session of the council will be requested to ratify the actions taken under this chapter as soon as conditions attendant to the emergency permit. A disaster emergency proclamation may not be continued or renewed for a period in excess of seven days, except by or with the consent of the city council. Any order or proclamation declaring, continuing or terminating a local disaster emergency shall be given prompt and general publicity, and shall be filed with the city clerk and the Alaska Division of Homeland Security and Emergency Management.

3.45.070 Emergency operations plan—Implementation. The declaration of a local disaster emergency shall authorize the implementation of the response and recovery aspects of the city emergency operations plan, and authorizes the city manager to furnish aid and assistance under such plan.

3.45.080 Limitation on governmental or private liability. (a) This chapter provides for the city to exercise its governmental functions for the protection of the public peace, health and safety. None of the city, the emergency management organization, and any person authorized by the city to engage in emergency response activity, shall be liable for the death or injury of any person or damage to any property as the result of emergency response activity.

(b) No person owning or controlling real property, who allows the use of that property for emergency response activities shall be held liable for death of, or injury to, any person on or about such real estate resulting from that use.

Section 2: Cordova Municipal Code 3.44, Civil Defense Organization, is repealed.

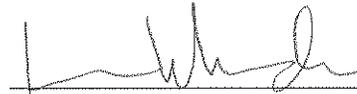
Section 3: This ordinance shall be effective thirty (30) days after its passage and publication. This ordinance shall be enacted in accordance with Section 2.13 of the Charter of the City of Cordova, Alaska and published in the Cordova Times, a newspaper of general circulation, within ten (10) days of its passage.

1st reading: March 17, 2010

2nd reading and public hearing: March 31, 2010

PASSED AND APPROVED THIS 31ST DAY OF MARCH, 2010




James Kallander, Mayor

ATTEST:


Lila J. Koplitz, CMC, City Clerk