

CITY  
OF  
BETHEL, ALASKA

ORDINANCE NUMBER 51

AN ORDINANCE CREATING CIVIL DEFENSE AS AN AGENCY  
OF GOVERNMENT FOR THE CITY OF BETHEL, ALASKA  
AND PROVIDING FOR A CIVIL DEFENSE ORGANIZATION  
WITH A DIRECTOR AND STAFF.

THE CITY OF BETHEL ORDAINS:

SECTION 1. TITLE.

This ordinance shall constitute the "Bethel Civil Defense Ordinance" and may be cited as such.

SECTION 2. PURPOSE.

The declared purposes of this ordinance are to provide for the preparation and carrying out of plans for civil defense of persons and property within the City of Bethel in the event of a disaster, and to provide for the coordination of disaster and civil defense functions of the City with all other public agencies and affected private persons, corporations and organizations. Any expenditures made in connection with such disaster and civil defense activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City of Bethel.

SECTION 3. DEFINITIONS.

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

CIVIL DEFENSE. As used in this ordinance, the term "civil defense" shall mean the preparation for 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 situation relating to a labor controversy.

SECTION 4. DIRECTOR - POWERS AND DUTIES.

There is hereby created the position of Director of Disaster and Civil Defense. The City Manager of the City of Bethel shall be Director of Disaster and Civil Defense. The Director is hereby empowered:

- A. To request the City Council to proclaim the existence or threatened existence of a disaster and the termination thereof or to issue such proclamation subject to the confirmation by the City Council at the earliest practicable time;
- B. To request the Governor to proclaim a state of extreme emergency when, in the opinion of the Director the resources of the area or region are inadequate to cope with the disaster;
- C. To control and direct the effort of the disaster and civil defense organization of the City for the accomplishment of the purposes of this ordinance;
- D. To direct coordination and cooperation between divisions, services and staff of the disaster and civil defense organization of the City and to resolve questions of authority and responsibility that may arise between them;
- E. To represent disaster and civil defense organization of the City in all dealings with public or private agencies pertaining to disaster and civil defense.
- F. To review and recommend for adoption by the City, disaster and 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.

#### SECTION 5. DIRECTOR - EMERGENCY POWERS.

In the event of the proclamation of a state of extreme emergency by the Governor or the State Director of Civil Defense, 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 disasters; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Council;
- B. To obtain vital supplies, equipment and such other properties found lacking and needed for the protection of the life and property of the people, and bind the City for the fair value thereof;

- C. To require emergency services of any city officer or employee and, in the event of the proclamation of a state of extreme emergency by the Governor in the region on which the City is located, to command the aid of as many citizens of the City as he thinks necessary in the execution of his duties; such as are provided by State law for registered disaster and Civil defense worker volunteers;
- D. To requisition necessary personnel or material of any City department or agency;
- E. To execute all of his ordinary powers as City Manager of the City, all of the special powers conferred upon him by this ordinance or the resolutions, adopted pursuant thereto, all powers conferred upon him by statute, agreement approved by the City Council, or by any other lawful authority, and to exercise complete authority over the City.

#### SECTION 6. ORGANIZATION MEMBERSHIP.

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 by agreement or operation of law, be charged with duties incident to the protection of life and property in the City during such a disaster, shall constitute the disaster and civil defense organization of the City of Bethel.

#### SECTION 7. ORGANIZATION STRUCTURE.

The functions and duties of the City of Bethel disaster and civil defense organization shall be managed on a day to day basis by a coordinator appointed by the Director, and other activities shall be distributed among such staff as the Director shall prescribe.

#### SECTION 8. VIOLATIONS AND PENALTIES.

It shall be a misdemeanor, punishable by a fine not to exceed the sum of three hundred dollars or by imprisonment for a term not to exceed 30 days, or both, for any person during a disaster:

- A. Willfully to obstruct, hinder or delay any member of the disaster and 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 law, rule or regulation issued pursuant to this ordinance, if such act is of such a nature as 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 disaster and civil defense agency of the State.

SECTION 9. SEVERABILITY.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not effect other provision 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.

PASSED AND APPROVED THIS 12th DAY OF March, 1973.

APPROVED:

Margaret Nick Cooke  
MAYOR, CITY OF DEWEL

ATTEST:

L. Marie Kachetoh  
CITY CLERK OF THE CITY OF DEWEL