

TITLE 15
EMERGENCY CODE

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Chapter 15.04

EMERGENCY CODE

(New Chapter substituted by
Ordinance No. 172303, effective
May 27, 1998.)

Sections:

- 15.04.010 Title.
- 15.04.020 Purpose.
- 15.04.030 Definitions.
- 15.04.040 Declaration of State of Emergency.

15.04.010 Title.

This title shall be known as the "Emergency Code."

15.04.020 Purpose.

(Amended by Ordinance No. 181352, effective October 10, 2007.) The purpose of this Code is to provide for regulations which set forth the responsibilities of the City in the event an emergency or disaster exists within the City. The regulations are intended to reduce the risk of the City to loss of life, injury to persons, property, the environment. The goal of regulations and the emergency code is to decrease human suffering and financial loss resulting from emergencies or disasters and to assign authority and responsibilities to various City bureaus. The State has assigned the responsibility for responding to emergencies and disasters to local governments.

15.04.030 Definitions.

(Amended by Ordinance Nos. 178616 and 181352, effective October 10, 2007.)

- A.** "Disaster" means an occurrence or threat of imminent widespread or severe damage, injury, or loss of life or property regardless of cause which in the determination of the Mayor or designated public official, causes or will cause significant damage as to warrant disaster assistance from outside City resources to supplement the efforts and available resources of the City to alleviate the damage, loss, hardship or suffering caused.
- B.** "Emergency" means any natural, technological or human caused event or circumstance causing or threatening: loss of life, injury to persons or property, human suffering or financial loss including but not limited to fire, flood, earthquake, severe weather, drought, volcanic activity, explosion, spills or releases of petroleum products or other hazardous material, contamination, utility

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or transportation emergencies, disease, blight, infestation, unmanageable crisis influx of migrants, civil disturbance, riot, sabotage and war.

- C.** "State of Emergency" means a situation proclaimed in writing by a designated City official as an emergency or a disaster.

15.04.040 Declaration of State of Emergency.

(Amended by Ordinance Nos. 178616 and 181352, effective October 10, 2007.)

- A.** A state of emergency exists when:
- 1.** The situation requires a coordinated response beyond that which occurs routinely;
 - 2.** The required response is not achievable solely with the added resources acquired through mutual aid or cooperative assistance agreements; and
 - 3.** The Mayor or other City official, as provided in Portland City Code Section 15.08.010, has declared that a state of emergency or disaster exists by proclamation.
- B.** The declaration shall be in writing, shall designate the geographic boundaries of the area in which the state of emergency exists, and shall fix the duration of time in which the state of emergency shall exist. The initial duration shall not exceed a two-week period, but may be extended in two-week increments.
- C.** The Mayor must declare the City in a state of emergency prior to requesting resources through the governing body of Multnomah County.
- D.** The Mayor shall have the power to request the Governor to declare a state of emergency or disaster within the City. The request must be submitted by the Mayor through the governing body of Multnomah County.
- E.** The Mayor shall terminate the state of emergency by proclamation when the emergency no longer exists or when the threat of an emergency has passed. The Mayor will communicate the change from the disaster response phase to the recovery phase with all appropriate officials.

Chapter 15.08

EXECUTIVE RESPONSIBILITY

(New Chapter substituted by
Ordinance No. 172303, effective
May 27, 1998.)

Sections:

- 15.08.010 Mayor and Successor to Mayor.
- 15.08.020 Authority.
- 15.08.030 Declaration of Nuisance.
- 15.08.040 Enforcement.
- 15.08.050 Controlling Provisions

15.08.010 Mayor and Successor to Mayor.

(Amended by Ordinance No. 178616, effective July 21, 2004.)

- A.** The Mayor is the Chief Executive of the City of Portland. If the Mayor, for any reason, is unable or unavailable to perform the duties of office under this Code during a state of emergency, the duties shall be performed by the first of the following who is able and available:
 - 1.** The President of the Council;
 - 2.** The Council member who has most recently served as President of the Council;
 - 3.** The Council member holding the position with the lowest number;
 - 4.** The first of the City officials in the order listed in Section 2-206(g) of the Charter of the City of Portland (City Auditor, City Attorney, Director of Office of Management and Finance, executive assistants of disabled Council members in the order of their seniority as an executive assistant).
- B.** The powers of the successor to the Mayor shall be the same as the Mayor and the duration of succession shall be until such time as the Mayor is able to perform the duties of office.

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15.08.020 Authority.

(Amended by Ordinance Nos. 178616, 181352 and 182428, effective January 16, 2009.)

- A.** Upon the declaration of a state of emergency, the Mayor shall assume centralized control and shall have authority over all bureaus, departments and other City offices as among other powers. The Mayor may delegate any administrative or operative authority vested in the Mayor.
- B.** Upon the declaration of a state of emergency, in addition to other powers granted to the Mayor, the Mayor may:

 - 1.** Utilize all City owned resources;
 - 2.** Designate persons to coordinate the work of public and private relief agencies operating in the area and exclude from the area, any person or agency refusing to cooperate and work under the Director and/or Incident Commander or to coordinate with other agencies engaged in the emergency work.
 - 3.** Regulate by rationing, freezing, use of quotas, prohibitions on shipments, price fixing, allocation or other means, the use, sale or distribution of food, feed, fuel, clothing and other commodities, materials, goods and services.
 - 4.** Order the removal of debris and wreckage which may threaten the public health or safety on public or private property consistent with the provisions of PCC 15.08.030.
 - 5.** Barricade streets and prohibit vehicular or pedestrian traffic, or regulate the same on any public street leading to the area designated as an emergency area for such distance as may be deemed necessary under the circumstances.
 - 6.** Prohibit or limit the number of persons who may gather or congregate upon any public street, public place or any outdoor place within the area designated as an emergency area.
 - 7.** Establish a curfew for the designated emergency area which fixes the hours during which all persons other than officially authorized personnel may not be upon the public streets or other public places.
 - 8.** To the extent allowed by law, prohibit the sale, carrying or possession of explosives of any kind or weapons of any kind other than firearms on public streets or public places.

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9. Establish rent controls and provide temporary or permanent housing by purchase, lease or otherwise and to enter into arrangements necessary to prepare or equip the living units for occupancy.
10. Order the evacuation of persons from designated areas as necessary.
11. Order such other measures as may be necessary to protect the life, safety and health of persons, property or the environment.
12. Adopt rules for the expeditious issuance of permits necessary to address issues that arise from the emergency or disaster.
13. Enter into contracts to the extent authorized by Charter Sections 8-104 and 8-105.

15.08.030 Declaration of Nuisance.

(Amended by Ordinance No. 181352, effective October 10, 2007.)

- A. Debris or wreckage resulting from a disaster or emergency situation is declared to be a nuisance.
- B. The nuisance shall be abated as provided by City Code, however, in situations where the public health or safety may be in danger, the City may summarily abate the nuisance and assess the property for the actual cost. Assessment procedures shall be followed.

15.08.040 Enforcement.

Any person who violates any emergency measure shall be subject to a civil penalty of not more than \$500 per occurrence. Enforcement shall be by the Code Hearings Officer in accordance with the provisions of Title 22.

15.08.050 Controlling Provisions.

In the event of an emergency, these Code provisions shall control over any conflicting Code provisions.

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Chapter 15.12

**OFFICE OF EMERGENCY
MANAGEMENT**

(New Chapter substituted by
Ordinance No. 172303, effective
May 27, 1998.)

Sections:

- 15.12.010 Organization.
15.12.020 Duties.

15.12.010 Organization.

(Amended by Ordinance No. 178616, effective July 21, 2004.) The Office of Emergency Management shall be directly responsible to the Mayor and shall be supervised by the Director of the Office of Emergency Management.

15.12.020 Duties.

(Amended by Ordinance Nos. 176955, 178616, 180917 and 181352, effective October 10, 2007.) It shall be the responsibility of the Office of Emergency Management to recommend to the City Council a Basic Emergency Operations Plan (BEOP) to assist the Mayor in the performance of his/her duties by this Code. In order to develop and maintain a Basic Emergency Operations Plan, the duties of the Office of Emergency Management shall include, but not be limited to the following:

- A.** The authority to cause those officials of City bureaus with emergency operations capabilities to prepare coordinated annexes to the Basic Emergency Operations Plan.
- B.** Providing a plan for the procurement of personnel, equipment, material and supplies from City and private sources, for use in the event of a state of emergency, and to provide for the accounting of the procurements.
- C.** Coordinating emergency plans programs and operations of federal, state and county agencies, and other public or private agencies and corporations with emergency service capabilities.
- D.** Overseeing the development of the City's Emergency Coordination Center (ECC) and ensuring that it is appropriately sited, staffed, equipped, and maintained; and scheduling regular testing procedures to ensure operation efficiency.

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- E.** Reviewing annually the Basic Emergency Operations Plan and submitting to the City Council, during the month of January each year, the results of the review and any recommendations for revision.
- F.** Providing training and exercises to keep city emergency responders proficient in their emergency response and recovery roles and skills.
- G.** Coordinating citywide homeland security programs and activities in compliance with State and Federal requirements.
- H.** Evaluating emergency or disaster events and coordinating City response and improvement plans; promoting inter-bureau coordination of services and comprehensive emergency management planning to include preparedness, prevention, mitigation, response and recovery actions.
- I.** Coordinating the identification and implementation of actions that could mitigate any disaster's impact.
- J.** Reassign employees to Emergency Coordination Center duties as required.

