

**CHAPTER 14**  
**CIVIL DEFENSE.**

Reference: Neb. Rev. Stat. Section 81-829.05.

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**14-101. Short title.**

This ordinance shall be known, and may be cited and referred to as the "Hastings Emergency Management Ordinance."  
(Ord. No. 2818 and 3698-7/99)

**14-102. Intent and purpose.**

It is the intent and purpose of this Ordinance to establish an office that will insure the complete and efficient utilization of all available facilities to manage and respond to emergencies, disasters and hazards. The Hastings Emergency Management Office will be the coordinating agency for all activities in connection with emergency management. It will be the instrument through which the Mayor may exercise the authority and discharge the responsibilities vested in him/her by the Nebraska Emergency Management Act, Neb. Rev. Stat. §§ 81-829.31 and 81-829-36 et seq., as amended from time to time, and by this Ordinance. This Ordinance will not relieve any city department of the responsibilities or obligations imposed upon it by the Hastings City Council, and in no event shall this Ordinance be construed to preclude the Mayor from directly communicating with city department heads.  
(Ord. No. 2818 and 3698-7/99)

**14-103. Definitions.**

Except as otherwise defined herein, the terms used in this ordinance shall have the meanings set forth in Neb. Rev. Stat. §81-829.39 (Reissue 1996).  
(Ord. No. 2818 and Ord. No. 3698-7/99)

**14-104. Emergency Management Director; duties and responsibilities.**

The Emergency Management Director for the City shall be appointed by the Mayor, with the approval of the City Council. The Emergency Management Director for the City shall be subject to the direction and control of the Mayor. Except as otherwise directed by the Mayor, the Emergency Management Director shall perform the following duties:

(1) Coordinate the recruiting of volunteer personnel and agencies to augment the personnel and facilities currently utilized for emergency management.

(2) Develop and coordinate plans for the immediate use of all facilities, equipment, personnel and other resources available to the agency for the purpose of minimizing or preventing damage to persons or property, and protecting and restoring governmental services and public utilities necessary for public health, safety and welfare.

(3) Negotiate agreements with owners of buildings and other properties for the use of such facilities as public shelters.

(4) Educate the civilian population through public information programs, as to actions necessary and

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required for the protection of lives and property in the case of any civil defense emergency or disaster, either impending or present.

(5) Conduct practice alerts to ensure the efficient operation of, and familiarization with, emergency management services in the City of Hastings.

(6) Assist, support, and respond as needed to other public and private agencies engaged in any other emergency management activity.

(7) Develop mutual aid agreements with other public agencies for reciprocal emergency services.  
(Ord. Nos. 2818, 3055-4\88, 3120-4/89 and 3698-7/99)

### **14-105. Liaison officer.**

The liaison officer for the City shall be the Emergency Management Director. The liaison shall facilitate in cooperation with emergency management organizations and insure that emergency management services are provided to the citizens of Hastings.

(Ord. No. 2818, 3120-4/89 and 3698-7/99)

### **14-106. Authority and responsibilities of Mayor.**

The Mayor shall:

(1) Declare an emergency for the City of Hastings when conditions defined as a disaster or an emergency exist.

(2) Terminate the proclamation of a local emergency when deemed appropriate by such Mayor, or when directed to do so by resolution of the City Council.

(3) During a local emergency, utilize the services, equipment, supplies and facilities of existing departments, offices, and agencies of the City to carry out emergency management services.

(4) During a local emergency, accept and determine that use and disposition of any services, equipment, supplies, materials or funds gifted, granted, or loaned for the purposes of disaster response or emergency management.

(5) Notify the Nebraska Emergency Management Agency of the manner in which the City of Hastings is providing or securing emergency management services, the name and address of the Mayor, and such additional information as said state agency requires.

(6) Exercise direction and control over the Emergency Management Director during the time of a local emergency.

(Ord. No. 2818, 3120-4/89 and 3698-7/99)

### **14-107. Absence of Mayor.**

In the event that the Mayor is absent from the jurisdiction during the time of a local emergency, then the City Council President shall serve in his or her place; and if such person is absent, then the City Council Vice President shall serve in his or her place. The person serving in the place of the Mayor shall have all of the powers, authority and responsibilities of the Mayor.

(Ord. No. 2818 and 3698-7/99)

### **14-108. Governing body authority.**

The City Council hereby reserves to itself the following authority and responsibilities:

(1) The appropriation of funds for the purposes of emergency management.

(2) Except during the time of a local emergency, the determination of the manner in which services, equipment, supplies, materials, or facilities of city departments shall be utilized for emergency management purposes.

(3) Except during the time of a local emergency, the acceptance and determination of the use and

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disposition of any services, equipment, supplies, materials, or funds, gifted, granted, or loaned for purposes of disaster response or emergency management.

(Ord. No. 2818 and 3698-7/99)

### **14-109. Interjurisdictional agreements.**

The Mayor, with the approval of the Council, may execute an agreement with Adams County, Nebraska, and such other local jurisdictions as the Mayor and Council may deem appropriate, for the purpose of creating an interjurisdictional emergency management organization. In such event, the person who, from time to time, serves as the Emergency Management Director of such organization shall be deemed to be the Emergency Management Director of the City, and such director shall be subject to the direction and control of the person or entity identified in the agreement. Such organization, if created, shall be the means by which the City fulfills the emergency management responsibilities imposed by Nebraska statutes. To the extent that the terms of any such agreement conflict with the provisions of this ordinance, the terms of such agreement shall prevail.

(Ord. No. 2818 and 3698-7/99)

### **14-110. Emergency operations plan.**

A local emergency operations plan shall be prepared by the emergency management director, and submitted to the Mayor and Council for their review and approval. Any emergency operations plan adopted and approved in connection with any interjurisdictional emergency management organization of which the City is a party, shall be deemed to have satisfied the requirements of this section.

(Ord. No. 2818 and 3698-7/99)

### **14-111. Technical or skilled assistance.**

When a required competency or skill for a disaster function is not available within the City's government, the Emergency Management Director shall seek assistance from other persons outside of government, but only upon the advice and consent of the Mayor. The assignment of duties, when of a supervisory nature, shall also grant authority for the persons so assigned to carry out such duties prior to, during, and after the occurrence of a disaster. Services from persons outside of government may be compensated, or may be accepted by the City on a volunteer basis.

(Ord. No. 2818 and 3698-7/99)

### **14-112. Violation.**

It shall be unlawful for any person to violate the provisions of this ordinance or the regulations or plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay any member of the emergency management organization in the enforcement of the provisions of this ordinance or any regulations or plan issued thereunder.

(Ord. No. 2818 and 3698-7/99)

### **14-113. Penalty.**

Any person, firm or corporation violating any provision of this Ordinance or any rule or regulation promulgated thereunder, upon conviction thereof, shall be punished by a fine of not more than \$500.00.

(Ord. No. 2818 and 3698-7/99)

As a result of the latest revisions, pages 140-142 have been deleted.