

## CHAPTER 7 EMERGENCY PREPAREDNESS

1.181. Definitions. For the purpose of this Chapter, certain words used herein are defined as follows:

- (1) "Mayor" shall mean the Mayor of the City of Bessemer and "Council" shall mean the Bessemer City Council.
- (2) "Coordinator" shall mean the Bessemer City Manager or his designee.
- (3) Terms defined in the State Emergency Preparedness Act (1976 PA 390, as amended; MCL 30.401 et seq.) shall have the meanings therein prescribed.

1.182. Organization for Emergency Services.

- (1) The Mayor, as executive head of the City government, shall be the Director of the Emergency Services Forces of the City and shall be responsible for their organization, administration and operation, working through the City Manager.
- (2) The City Manager, with the approval of the Council, is hereby authorized and directed to create an organization to prepare for community disasters utilizing to the fullest extent existing agencies within the City.
- (3) The organization for providing emergency services shall consist of the following:
  - (a) An Office of Emergency Services established within City government. The Office of Emergency Services shall have an administrative head appointed who will be known as the Coordinator, Office of Emergency Services. Such assistants and other employees as are deemed necessary for the proper

functioning of the organization will be employed.

- (b) The employees, equipment and facilities of all City departments, boards, institutions and committees suitable for or adaptable to emergency service activities may be designated as part of the total Emergency Services Forces. Such designations shall be recommended by the City Manager with the approval of the Council.
- (4) All officers and employees of departments, committees, boards, institutions and other agencies of the City government designated by the City Manager, with the approval of the Council, as Emergency Services Forces shall cooperate with the Emergency Services Coordinator in the formulation of the Emergency Operations Plan and they shall assist the Coordinator in all matters pursuant to the provisions of this Chapter.

1.183. Emergency Services Coordinator; Assistants; Deputies.

- (1) Assistant Coordinators appointed by the City Manager shall be designated to work with the Coordinator on emergency planning matters. Assistant Coordinators shall be appointed as need dictates.
- (2) Assistant Coordinators shall assume the duties of the Coordinator whenever the Coordinator is unavailable during disasters or emergency situations.

1.184. Mayor: Powers, Duties. The Mayor may exercise the emergency power and authority as specified herein. Whenever a situation requires or is likely to require that the Mayor invoke such power and authority, the Mayor shall, as soon as reasonably expedient, convene the Council to perform its legislative and administrative duties as the situation demands and shall report to that body relative to emergency activities. Nothing in this Chapter shall be construed as abridging or curtailing the powers of the

Council unless specifically provided herein.

- (1) Under the following circumstances, the Mayor may assemble and utilize the Emergency Services Forces and may prescribe the manner and conditions of their use:
    - (a) Whenever on the basis of information received from authoritative sources the Mayor feels that a largescale disaster or emergency situation affecting the City is imminent.
    - (b) During any period of disaster in the City, County or State and thereafter as long as the Mayor shall deem it necessary.
  - (2) Whenever any condition in the City has attained or threatens to attain the proportions of a major disaster, the Mayor may assemble and utilize Emergency Services Forces and may prescribe the manner and conditions of their use. The Mayor, with the approval of the Council, is hereby empowered to enter into mutual aid agreements with other public and private agencies for reciprocal aid and assistance during disasters which are beyond local capabilities and resources. The Mayor may, when deemed in the public interest, send Emergency Services Forces of the City to the aid of other communities stricken by disaster as provided by mutual aid agreements, provided that after the Council convenes, the future continuance of any such disaster relief and the period thereof shall be subject to the action of the Council.
  - (3) The City Manager, with the approval of the Council may establish regulations permitting the Coordinator to assemble and utilize the Emergency Services Forces and provide disaster relief aid as prescribed in section 1.184 (1) and (2).
  - (4) When obtaining formal approvals would result in significant delay of relief activity, the Mayor may, until the Council convenes, waive procedures and formalities otherwise required pertaining to the performance of public works, entering into
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contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase and distribution of supplies, materials and facilities and the expenditure of existing funds, and the Commission is also empowered to waive any such procedures and formalities.

- (5) The City Manager, with the approval of the Council shall establish procedures for the succession of government during emergencies where officials are unavailable for exercising the powers and discharging the duties of their respective offices.

1.185. Emergency Services Coordinator: Powers, Duties. The Emergency Services Coordinator shall be responsible for all emergency preparedness activities in the City. The Coordinator shall maintain liaison with State and Federal authorities and the authorities of other nearby political subdivisions so as to insure the most effective emergency operations.

- (1) The Coordinator's duties shall include, but not be limited to, the following:
    - (a) Development of plans for the immediate use of all of the facilities, equipment, manpower and other resources of the City for the purpose of minimizing or preventing damage to persons or property, and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety and general welfare.
    - (b) Coordinating the recruitment and training of volunteer personnel and facilities of the City for emergency purposes.
    - (c) Through public information programs, educating the civilian population as to actions necessary and required for the protection of persons and property in case of disaster.
    - (d) Conducting practice alerts and exercises to insure the efficient operation of the City's
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regulations, procedures and operations.

- (e) Coordinating the activity of all other public and private agencies engaged in any emergency or disaster relief program.
- (f) Negotiating with owners or persons in control of buildings or other property for the use of such buildings or property for emergency or disaster relief purposes and designating suitable buildings as public shelters.
- (g) Establish and maintain administrative control over a local radiological defense program, to include emergency preparations for both peacetime radiation incidents and international wartime disasters.
- (h) Establish property accountability procedures for Federal surplus property acquired by the City, Federal excess property on loan to the City, or any other property or equipment loaned to the City for use in disaster or emergency situations.

1.186. Volunteers: Appointment; Records. Subject to the approval of the Coordinator each department, committee, board or other agency of City government may appoint or authorize the appointment of volunteer citizens to augment the personnel of such City department, committee, board or agency in time of emergency. Such individuals shall be enrolled as Emergency Services Volunteers and shall be subject to the rules and regulations set forth by the respective department, committee, board or agency head for such volunteers.

The Coordinator may enlist volunteer citizens to form the personnel of an emergency service for which the City has no counterpart or to temporarily augment personnel of the City engaged in emergency activities. The Coordinator shall maintain formal records of all such volunteers for worker's compensation purposes.

1.187. Rights of City Employees. City Employees assigned to duty as part of the Emergency Services Forces

pursuant to the provisions of this Chapter shall retain all of the rights, privileges and immunities of City employees and shall receive the compensation incident to their employment.

1.188. No Governmental or Private Liability. This Chapter is an exercise by the City of its governmental functions for the protection of the public health, safety and general welfare. As such, neither the City nor agents and representatives of the City nor any individual, receiver, firm, partnership, corporation, association, trustee nor any of the agents thereof acting in good faith carrying out, complying with or attempting to comply with this Chapter shall be liable for any damage sustained to persons or property as a result of said activity.

Any person owning or controlling real estate or other premises who voluntarily and without compensation grants the City the right to inspect, designate and use the whole or any part of such real estate or premises for the purpose of sheltering persons during a disaster or during an authorized practice disaster exercise shall not be civilly liable for the death of or injury to any person on or about such real estate or premises under such license, privilege or other permission or for loss of or damage to the property of such person.

1.189. Federal Surplus Property. The Emergency Services Coordinator is hereby designated as the person responsible for accepting Federal surplus property with the power and full authority to sign for such surplus property. The Mayor shall provide a written statement to appropriate Federal officials designating the current name of the Coordinator as responsible for complying with the provisions of this section.

- (1) The Coordinator is responsible for the accountability and will maintain the necessary records for all surplus property obtained for emergency purposes until relieved from accountability by State and Federal authorities.
- (2) The Coordinator is further authorized to direct

payment of service charges for surplus property to complete all transactions.

- (3) Misappropriation or unauthorized private use of such public property while still accountable is subject to prosecution under Federal and State statute.
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