

ORDINANCE NO. 2326

AN ORDINANCE ADDING CHAPTER 30 TO THE HERMISTON MUNICIPAL CODE,  
ENTITLED "EMERGENCIES."

Whereas, the City of Hermiston is adopting an Emergency Plan, now, therefore,

The City of Hermiston ordains as follows:

**Section 1.** Section 30.01 of the Hermiston Municipal Code is added to read:

**30.05 EMERGENCY SITUATION AND DECLARATION.**

An emergency situation exists when the health, safety or welfare of the City or a portion of the City is threatened by a potential or actual natural disaster, accident, act of war or terrorism, disease, or other event or ongoing occurrence that results in an immediate and substantial threat to life, health or property. The City may declare an emergency following the procedures of 30.015 when an emergency situation exists.

**Section 2.** Section 30.10 of the Hermiston Municipal Code is added to read:

**30.10 EFFECT OF EMERGENCY DECLARATION.**

(A) On declaration of an emergency, the City shall have all powers not prohibited by Federal and State constitutions and laws, including any powers authorized in emergency situations. The powers of the City shall be exercised by the incident commander. The incident commander shall be the City Manager or other person designated in the emergency declaration. Notwithstanding the delegation of powers to the incident commander under this section, the City Council will remain the governing body of the City.

(B) Notwithstanding any other provision of law, the City may take the following actions during an emergency:

- (1) Procure goods and services without compliance with normal procurement procedures.
- (2) Use any available City funds for emergency purposes.
- (3) Close or limit the use of streets and other public places.
- (4) Order and assist the evacuation of people to protect safety or health.
- (5) Turn off water, gas, fuel, or electricity.
- (6) Control, restrict, and/or regulate the sale of goods and services, including the imposition of price controls.
- (7) Prohibit the sale or possession of any weapons or explosives in public places.

(8) Any other action for the protection of safety, health, life or property.

(C) In the event of an emergency, the City will continue to provide government services to the extent reasonably practical under the circumstances. City employees are expected to report to work and may be assigned to duties other than their regular job responsibilities.

**Section 3.** Section 30.15 of the Hermiston Municipal Code is added to read:

**30.015 EMERGENCY DECLARATION.**

A declaration of a state of emergency within the City of Hermiston may be issued by the City Manager. Prior to declaring an emergency, the City Manager will make reasonable efforts to contact City Councilors to inform them of the need to declare an emergency. The City Manager will notify the Umatilla County Emergency Manager of a declaration of emergency. At its next City Council meeting, the Council shall consider ratification of the declaration of emergency.

**Section 4.** Section 30.020 of the Hermiston Municipal Code is added to read:

**30.020 EMERGENCY MANAGEMENT POLICIES AND PROCEDURES.**

The City Council shall adopt an Emergency Plan and the City Manager shall periodically review the Plan, in an effort to establish procedures to prepare for and carry out activities to prevent, minimize, respond to or recover from an emergency.

**Section 5. Effective date.** This ordinance shall take effect on the 30<sup>th</sup> day after its adoption.

ADOPTED by the Common Council this 26<sup>th</sup> of July 2021.

SIGNED by the Mayor this 26<sup>th</sup> day of July 2021.

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Dr. David Drotzmann, Mayor

ATTEST:

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Lilly Alarcon-Strong, CMC; City Recorder