

CITY OF BELLEVUE, WASHINGTON

ORIGINAL

ORDINANCE NO. 491

AN ORDINANCE relating to Civil Defense; establishing a Civil Defense Council, providing for a Director of Civil Defense, and amending the Bellevue City Code.

WHEREAS R.C.W. 38.52.070 authorizes each political subdivision of the State to establish a local organization for civil defense in accordance with the state civil defense plan and program; and

WHEREAS the Council believes that such an organization in Bellevue is desirable; now therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Chapter 3.36 of Bellevue City Code, entitled "Civil Defense" is hereby amended by adding thereto Sections 3.36.010, 3.36.020, 3.36.030, 3.36.040, 3.36.050, 3.36.060, 3.36.070, 3.36.080, 3.36.090, 3.36.100 and 3.36.110, which shall read as follows:

Section 3.36.010. PURPOSES. The declared purposes of this ordinance are to provide for the preparation and carrying out of plans, including mock or practice drills, for the civil defense of persons and property within this city in the event of a disaster, and to provide for the coordination of the civil defense and disaster functions of this city with all other public agencies and affected private persons, corporations and organizations. Any expenditures made in connection with such civil defense and disaster activities, including mutual aid activities, and mock or practice drills, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City of Bellevue.

Section 3.36.020. DEFINITIONS.

- A. Civil Defense. As used in this ordinance, the term "civil defense" shall mean the preparation for and 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 condition relating to a labor controversy.

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

Section 3.36.030. **CIVIL DEFENSE COUNCIL.** Membership. The Bellevue Civil Defense Council is hereby created and shall consist of the following:

- A. The Mayor, who shall be chairman.
- B. The director of civil defense, who shall be vice chairman.
- C. Such city officials and other citizens of this city as may be appointed by the Mayor with the advice and consent of the City Council.

Section 3.36.040. **CIVIL DEFENSE COUNCIL.** Powers and Duties. It shall be the duty of the Bellevue civil defense council, and it is hereby empowered, to review and recommend for adoption, civil defense and mutual aid plans and agreements and such resolutions, rules and regulations as are necessary to implement such plans and agreements. The civil defense council shall meet upon call of the chairman or in his absence from the city or inability to call such meeting, upon the call of the vice chairman.

Section 3.36.050. **DIRECTOR OF CIVIL DEFENSE.** Powers and Duties. There is hereby created the office of director of civil defense, who shall be the duly appointed, qualified and acting City Manager of the City of Bellevue.

The director is hereby empowered and directed:

- A. To prepare a civil defense operating plan for the city conforming to the county and state civil defense plan and program:
- B. To control and direct the effort of the civil defense organization of this city for the accomplishment of the purposes of this ordinance:
- C. To direct coordination and cooperation between divisions, services and staff of the civil defense organization of this city, and to resolve questions of authority and responsibility that may arise between them;
- D. To represent the civil defense organization of this city in all dealings with public or private agencies pertaining to civil defense and disaster:

- E. To appoint a deputy director of civil defense whose duty it shall be to implement the activities outlined in sub-paragraphs A, B, C and D above.

Section 3.36.060. In the event of disaster as herein provided, 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 disaster; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the Civil Defense 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, and if required immediately, to commandeer the same for public use.
- C. To require emergency services of any city officer or employee, and in the event of a proclamation by the Governor of the existence of a disaster, to command the aid of as many citizens of this community as he considers necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered civil defense workers.
- D. To execute all of the special powers conferred upon him by this ordinance or by resolution adopted pursuant thereto, all powers conferred upon him by statute, agreement approved by the Civil Defense Council, or by any other lawful authority.
- E. To requisition necessary personnel or material of any city department or agency.

Section 3.36.070. CIVIL DEFENSE ORGANIZATION. 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, including persons pressed into service under the provisions of Section 3.36.060 (c) of this ordinance, charged with duties incident to the protection of life and property in this city during disaster, shall constitute the civil defense organization of the City of Bellevue.

Section 3.36.080. DIVISIONS, SERVICES AND STAFF OF THE CIVIL DEFENSE ORGANIZATION. The functions and duties of the Bellevue Civil Defense Organization shall be distributed among such divisions, services and special staff as the Civil Defense Council shall prescribe.

The Civil Defense Council shall concurrently with the adoption of this ordinance, prescribe the form of organization, establishment and designation of divisions and services, the assignment of functions, duties and powers, the designation of officers and employees. Insofar as possible, the form of organization, titles and terminology shall conform to the recommendations of the Federal government and the Department of Civil Defense of the State of Washington.

Section 3.36.090. PUNISHMENT OF VIOLATIONS. It shall be a misdemeanor, punishable by a fine of not to exceed \$250.00, or by imprisonment for not to exceed three months, or both, for any person during a disaster:

- A. To wilfully obstruct, hinder or delay any member of the 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 lawful rules or regulations issued pursuant to this ordinance, if such act is of such a nature as to give, or be likely to give assistance to the enemy, or 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 State Department of Civil Defense.

Section 3.36.100. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions 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.

Section 3.36.110. This Ordinance shall take effect and be in force five (5) days after its passage, approval and legal publication.

PASSED by the City Council on this 10<sup>th</sup> day of April, 1962, and signed in authentication of its passage this 10 day of April, 1962.

Approved as to Form:

[Signature]  
City Attorney

Attest:  
[Signature]  
City Clerk

Published April 19, 1962

[Signature]  
Mayor [Signature]

(SEAL)

FILED NO. 0183  
CITY OF BELLEVUE  
DATE 4-11-62  
CITY CLERK [Signature]