

# Emergency Declaration Process



# Disaster Declaration Process

- The City Commission has the **legal authority under Ordinance No. 03-1015** to declare that a local emergency exists.
- Who can make the Declaration
  - The **Mayor**
  - The **City Commission President**, when the Mayor is absent
  - The **City Manager**, when a quorum of commissioners cannot be assembled
  - The **Police Chief** or the **Incident Commander (IC)** , if the City Manager is unable to act
- Declaration must include:
  - Description of the situation and existing conditions
  - Geographic boundaries affected
  - What special powers are being activated by the City
- If County, State, or Federal assistance is needed, it must also declare that **all appropriate and available local resources have been expended** and contain a request to the Governor for the type of assistance required.

# Emergency Powers

(Chapter 2.52 OR Code)

**Allows for flexibility in managing resources under emergency conditions such as:**

- Diverting funds and resources to emergency operations
- Authorizing implementation of local emergency plans and implementing extraordinary protective measures
- Resources from organizations and individuals initiated through mutual aid and cooperative assistance agreement
- Legal protection for actions initiated under emergency conditions.
- Requesting State and/or Federal assistance to augment local resources and capabilities.
- Raising public awareness and encouraging the community to become involved in protecting their resources.

# Disaster Declaration Process

Local Declaration of Emergency (City  
Commission)



County Declaration of Emergency  
(County Commission via County EOC)



State Declaration of Emergency  
(Governor's Office)



Federal Disaster Declaration (POTUS)

# Disaster Declaration Process

- The City may choose to declare a local emergency **even if the need for additional support or resources is not anticipated** in order to implement provisions of the emergency code.
  - Enact a curfew
  - Suspend procurement requirements
  - Commit to mutual aid agreements
- The City's request for a declaration must be processed through Clackamas County Emergency Management to OEM. **The request for a disaster declaration and assistance does not indicate the surrender of Command responsibility and authority.**

# Command Staff Responsibilities

## Operations:

- Identify necessary resources and outline special powers needed to respond to the emergency. Assist in initial damage assessment.

## Planning:

- Provide situation and resource summaries and initial and preliminary damage assessments.

## Logistics:

- Compile resource requests.

## Finance:

- Assist in preliminary damage assessment and coordinate damage survey activities.

## Command:

- Present the declaration package to the City Manager and City Commission.

# Emergency Acquisition of Resources

- During a declared emergency, **authorized to extend government authority to non-governmental resources** (e.g. personnel and equipment) that may support regular government forces during an emergency
- May **enter into agreements** with other public and private agencies for use of resources.
- The owner of the property shall be entitled to reasonable compensation.

# Time Limit on Emergency Regulations

- The declaration of emergency shall become effective upon its issuance and dissemination to the public by appropriate news media.
- A **declaration of emergency shall terminate 48 hours** after its issuance, or upon the issuance of a declaration determining that an emergency no longer exists, whichever occurs first
- Commission may, by resolution, **extend a proclamation of emergency for additional periods of time** as determined necessary.