

ORDINANCE # 9

It is hereby resolved that the Board of County Commissioners of the County of Pacific does ordain as follows:

Section 1. PURPOSES. The declared purposes of this resolution 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 county in the event of a disaster, and to provide for the coordination of the civil defense and disaster functions of this county 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 County of Pacific.

Section 2. DEFINITIONS. A. Civil Defense. As used in this resolution, 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 resolution apply to any condition relating to a labor controversy.

B. Disasters. As used in this resolution, 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 CIVIL DEFENSE COUNCIL. Membership. The Pacific County Civil Defense Council is hereby created and shall consist of the following:

A. The Board of County Commissioners. The Chairman of the Board will act as Chairman of the Civil Defense Council.

B. The director of civil defense, who shall be vice chairman.

C. Such deputy directors and chiefs of operating civil defense and disaster departments, services or divisions as are provided for by resolution pursuant to this resolution.

D. Such representatives of civic, business, labor, veterans, professional or other organizations having an official group or organization civil defense responsibility as may be appointed by the County Commissioners.

Section 4. Civil Defense Council. Powers and Duties. It shall be the duty of the Pacific County civil defense council, and it is hereby empowered, to review and recommend for adoption by the county commissioners, civil defense and mutual aid plans and agreements and such resolutions and 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 county or inability to call such meeting, upon the call of the vice chairman.

Section 5. Director of Civil Defense. Powers and Duties. There is hereby created the office of director of civil defense. Such officer shall be appointed by the Board of County Commissioners.

The director is hereby empowered:

A. To control and direct the effort of the civil defense organization of this county for the accomplishment of the purposes of this resolution.

B. To direct coordination and cooperation between divisions, services and staff of the civil defense organization of this county, and to resolve questions of authority and responsibility that may arise between them;

C. To represent the civil defense organization of this county in all dealings with public or private agencies pertaining to civil defense and disaster.

Section 6. 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 Board of County Commissioners.

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 county for the fair value thereof, and if required immediately, to commandeer the same for public use;

C. To require emergency services of any county officer or employee, to command the aid of as many citizens of this community as he thinks 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 worker volunteers;

D. To requisition necessary personnel or material of any county department or agency;

Section 7. Civil Defense Organization. All officers and employees of this county, together with those volunteer forces enrolled to aid them during a disaster, and all groups, organizations and persons who may by agreement of operation of law, including persons pressed into service under the provisions of Section 6 (c) of this resolution, be charged with duties incident to the protection of life and property in this county during such disaster, shall constitute the civil defense organization of the county of Pacific.

Section 8. Divisions, Services and Staff of the Civil Defense Organization. The functions and duties of the Pacific County civil defense organization shall be distributed among such divisions, services and special staff as the county commissioners shall prescribe by resolution.

The county commissioners shall concurrently with the adoption of this resolution, adopt a resolution setting forth 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 organi-
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zation, titles and terminology shall conform to the recommendations of the Federal government and the Department of Civil Defense of the State of Washington.

Section 9. Punishment of Violations. It shall be a misdemeanor, punishable by a fine of not to exceed \$100.00, or by imprisonment for not to exceed 30 Days, or both, for any person during a disaster:

A. Wilfully to obstruct, hinder or delay any member of the civil defense organization in the enforcement of any lawful rule or regulation issued pursuant to this resolution, or in the performance of any duty imposed upon him by virtue of this resolution;

B. To do any act forbidden by any lawful rules or regulations issued pursuant to this resolution, 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 county, 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 Department of Civil Defense of the State.

Section 10. Repeal of Conflicting Ordinances or Resolutions.

Any ordinances or resolutions, which conflict with this Ordinance, shall be and the same are hereby repealed.

Section 11. Effective Date. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately. The following is a statement of the facts showing its urgency:

The National Security Resources Board of the Federal Government has recently published its plan for the civil defense of the country. The State of Washington, acting in accordance with the Federal plan, has enacted and made immediately effective the Washington Civil Defense Act of 1951. Both the Congress and the Legislature have adopted comprehensive civil defense laws. Both federal and state plans contemplate immediate adoption of such local legislation as is necessary to put into operation a coordinated and effective civil defense program so that each citizen and each community will be ready in the event of a disaster to afford as complete protection as is possible to life and property. In order that the laws of this county relating to civil defense may be brought into conformity with the federal, state and county ~~plans~~ plans at the earliest possible date, it is necessary that this resolution take effect immediately.

Section 12 NO PRIVATE LIABILITY. No individual, firm, association, corporation or other party, owning, maintaining or controlling any building or premises who voluntarily and without compensation grants to the county of Pacific a license or privilege or otherwise permits said county to inspect, designate and use the whole or any part or parts of such building or premises for the purpose of sheltering persons during an actual, impending, mock or practice attack, or their successors in interest, or the agents or employees of any of them, shall

be subject to liability for injuries sustained by any person while in or upon said building or premises as a result of the condition of said building or premises or as a result of any act or omission in connection with the upkeep or maintenance thereof, (except a wilful act of misconduct) when such person has entered or gone into or upon said building or premises for the purpose of seeking refuge therein during destructive operations or attacks by enemies of the United States or during a mock or practice attack or test ordered by lawful authority.

Section 13. SEVERABILITY. If any provision of this resolution or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared to be severable.

Dated this 19 day of September, 1955.

(Seal)

Attest:

Verna Jacobsen, by Isobel Leber
Deputy County Auditor and Ex-officio
Clerk of the Board.

BY THE BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON

Carl R. Pettit Chairman;

Bob Kirkman Commissioner;

O.W. Roessler Commissioner.