

CHAPTER 244
Organization for Emergency Management

- 244.01 Repealed.
 244.02 Repealed.
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CROSS REFERENCES

- State emergency operations center - see ORS 401.270
 Local government emergency services - see ORS 401.305 et seq.
 Reciprocal emergency aid and resources, State, counties and cities - see ORS 401.480
 Nuclear accidents and catastrophes - see ORS 469.535
 Emergency medical services plans - see ORS 682.205
 Ambulance Service Advisory Committee - see ADM. Ch. 253
 Mass gatherings - see GEN. OFF. Ch. 620
 Emergency medical care for prisoners - see S.U. & P.S. 1072.01
 Ambulance service areas - see S.U. & P.S. Ch. 1075

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- 244.01** (Ord. 84-13. Passed 5-30-84; REPEALED by E. Ord. 86-28. Passed 11-17-86; P. Ord. 86-3. Passed 11-17-86.)

- 244.02** (Ord. 84-13. Passed 5-30-84; REPEALED by E. Ord. 86-28. Passed 11-17-86; P. Ord. 86-3. Passed 11-17-86.)
- 244.03** (Ord. 84-13. Passed 5-30-84; REPEALED by E. Ord. 86-28. Passed 11-17-86; P. Ord. 86-3. Passed 11-17-86.)
- 244.04** (Ord. 84-13. Passed 5-30-84; REPEALED by E. Ord. 86-28. Passed 11-17-86; P. Ord. 86-3. Passed 11-17-86.)
- 244.05** (E. Ord. 86-28. Passed 11-17-86; P. Ord. 86-3. Passed 11-17-86; REPEALED by E. Ord. 92-12. Passed 7-1-92; P. Ord. 92-11. Passed 7-15-92.)
- 244.06** (E. Ord. 86-28. Passed 11-17-86; P. Ord. 86-3. Passed 11-17-86; REPEALED by E. Ord. 92-12. Passed 7-1-92; P. Ord. 92-11. Passed 7-15-92.)
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- 244.08** (E. Ord. 86-28. Passed 11-17-86; P. Ord. 86-3. Passed 11-17-86; REPEALED by E. Ord. 92-12. Passed 7-1-92; P. Ord. 92-11. Passed 7-15-92.)
- 244.09** (E. Ord. 86-28. Passed 11-17-86; P. Ord. 86-3. Passed 11-17-86; REPEALED by E. Ord. 92-12. Passed 7-1-92; P. Ord. 92-11. Passed 7-15-92.)
- 244.10** (E. Ord. 86-28. Passed 11-17-86; P. Ord. 86-3. Passed 11-17-86; REPEALED by E. Ord. 92-12. Passed 7-1-92; P. Ord. 92-11. Passed 7-15-92.)
- 244.11** (E. Ord. 86-28. Passed 11-17-86; P. Ord. 86-3. Passed 11-17-86; REPEALED by E. Ord. 92-12. Passed 7-1-92; P. Ord. 92-11. Passed 7-15-92.)
- 244.12** (E. Ord. 86-28. Passed 11-17-86; P. Ord. 86-3. Passed 11-17-86; REPEALED by E. Ord. 92-12. Passed 7-1-92; P. Ord. 92-11. Passed 7-15-92.)

244.13 STATEMENT OF PURPOSE AND AUTHORITY.

It is the policy of the State of Oregon that preparations for emergencies and governmental responsibility for responding to emergencies be placed at the local government level. Pursuant to State statute, the executive officer or governing body of each county or city is responsible for the emergency services system within the respective jurisdiction. It is the purpose of this ordinance to comply with these State requirements and to set out procedures for emergency response so that the County is better able to protect the health and welfare of its citizens.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.14 DEFINITIONS.

As used in Sections 244.13 to 244.22:

- (a) Board means the Jackson County Board of Commissioners.
- (b) Disaster means an actual or potential emergency that exceeds the capacity of either local government or the emergency services system to effectively respond and that requires immediate action in order to protect life and property.
- (c) Disaster Response means a response by organizational units of local government exceeding mutual aid directed toward any emergency in an attempt to mitigate the effects of the emergency upon the public welfare. The effects of the emergency, either actual or potential, must be of such magnitude that available resources must be directed to the response effort.
- (d) Emergency means any manmade or natural event or circumstances causing or threatening loss of life, injury to person or property, human suffering, or financial loss and includes, but is not limited to, fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills or releases of oil or hazardous material as defined in ORS 466.605, contamination, utility or transportation emergencies, disease, blight, infestation, civil disturbance, riot, sabotage, and war.
- (e) Emergency Response means prompt action directed at safeguarding the public's welfare through procedures designed to minimize danger to life, health, property loss, or related impacts. The level of response is a function of the severity of the emergency, the impact or potential impact upon persons or property, and the ability of government to respond given limitations of budget, personnel, and equipment.
- (f) Emergency Service Agency means an organization within a local government that performs essential services for the public's benefit prior to, during, or following an emergency. Emergency service agencies include:
 - (1) Primary response organizations which are organizations within local governments that provide law enforcement, fire suppression, responses to spills or releases of oil or hazardous material as defined in ORS 466.605, medical treatment, and medical transportation; and
 - (2) Secondary response organizations which are organizations within local governments that provide for public works, road engineering and repair, and public health.

(g) Incident Command System (ICS) means an all risk system enabling emergency organizations to function in a multi-agency environment through the use of standardized organization, terminology, procedures, and communications. It provides a generic organizational structure with the five functional areas of command, operations, planning, logistics and finance.

(h) Mutual Aid is a concept that allows resource sharing between two or more response organizations that are separately funded and whose jurisdictional areas do not overlap. Use of the resources is based upon written operational agreements (Mutual Aid Agreements) between two or more response organizations through which resources are shared and the functions of command and control have been agreed upon beforehand.

(i) State of Emergency is an operational condition of government declared pursuant to Section 244.15 wherein the usual and customary procedures of government may be suspended to enable immediate resource deployment to safeguard life and property in accordance with the Jackson County Emergency Operations Plan.

(j) Unified Command Concept means the method by which local, State, and Federal agencies will work with the incident commander to:

- (1) Determine their roles and responsibilities for a given incident.
- (2) Determine their overall objectives for management of an incident.
- (3) Select a strategy to achieve agreed upon objectives.
- (4) Deploy resources to achieve agreed upon objectives.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.15 DECLARATION OF STATE OF EMERGENCY.

(a) The authority to declare a state of emergency rests with the Board of County Commissioners. If the chairman of the Board finds that circumstances prohibit timely action of the Board, the chairman of the Board is empowered to declare a state of emergency. In the event the chairman of the Board is unavailable or unable to perform his/her duties under this section, the duties shall be performed by the following individuals in the order listed: the vice-chair of the Board, the third member of the Board, or the County Administrator or the County Administrator's designee as set out in writing and filed with the Jackson County Emergency Operations Plan.

(b) A declaration of a state of emergency made other than by majority vote of the Board shall be deemed to be affirmed by the Board unless the Board, by majority vote, sets aside the declaration within forty-eight hours after the declaration was made.

(c) When, in the judgment of the person or persons authorized under subsection (a) hereof, a state of emergency exists, or when a state of emergency has been declared by the President of the United States or the Governor of Oregon, the person or persons thus authorized may declare and publicize the existence of such state of emergency by any means that are deemed appropriate and will achieve notice throughout the County.

(d) Any declaration of a state of emergency must specify the geographical area covered by the declaration and shall state the factors that necessitate such action.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.16 AUTHORITY, CONTROL, AND MANAGEMENT OF RESOURCES DURING STATE OF EMERGENCY.

When a state of emergency has been declared, the Board or those persons then in the position of authority under Section 244.15(a) are empowered, to the extent otherwise authorized by statute, to order and enforce emergency measures, including, but not limited to, the power to:

- (a) Redirect County funds for emergency use;
- (b) Suspend standard County procurement procedures;
- (c) Extend governmental authority to nonpublic resources (i.e. personnel and equipment) required to support regular County resources. When property is taken under such power, the owner of the property is entitled to reasonable compensation.
- (d) Enter into mutual aid agreements and agreements with other public and private agencies for use of resources, including police and law enforcement;
- (e) Establish a curfew for the emergency area;
- (f) Evacuate persons from the emergency area;
- (g) Limit the number of persons who may congregate in public within the emergency area;
- (h) Restrict and regulate vehicular and pedestrian traffic to, from, and within the emergency area;
- (i) Curtail or suspend commercial activity within the emergency area;
- (j) Direct all rescue and salvage work, and do all things deemed advisable and necessary to alleviate the immediate condition;

(k) Designate persons to coordinate the work of public and private relief agencies operating in such area and exclude from such area any person or agency refusing to cooperate with and work under such coordinator or to cooperate with other agencies engaged in emergency work;

(l) Control, restrict, and regulate the distribution and use of food, feed, fuel, clothing, other commodities, materials, goods, and services by rationing, freezing, use of quotas, prohibitions on shipments, price fixing, allocation, or other means;

(m) Direct activities in connection with the use, conservation, and salvage of essential materials, services, and facilities. These materials, services, and facilities may include production, transportation, power and/or communication facilities, the training and supply of labor, health and medical care, housing, rehabilitation, education, child care, recreation, and consumer protection; and

(n) Take any other action that may be necessary for the management of resources following an emergency.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.17 SCOPE AND EFFECT OF RULES AND ORDERS DURING A STATE OF EMERGENCY.

(a) The authority to issue or promulgate rules and orders under this chapter may be exercised with respect to the entire area over which the Board has jurisdiction or to any specified part thereof.

(b) All rules and orders issued under authority conferred by this chapter shall have the full force and effect of law during a declared state of emergency. All previously existing ordinances, rules, and orders inconsistent with this chapter shall be inoperative during the period of time and to the extent such inconsistencies exist.

(c) The County Administrator, on behalf of the County, shall have the authority to enter into mutual aid agreements between the County and cities within the County or neighboring counties. These agreements may provide for the support of the activities of these other jurisdictions during a state of emergency but may not provide for the assumption of control over non-Jackson County personnel, equipment, or resources.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.18 RESPONSIBILITY FOR EMERGENCY MANAGEMENT WITHIN JACKSON COUNTY.

There is hereby formed in Jackson County an Emergency Management Program. The County Administrator has responsibility for the organization, administration, and operation of the Jackson County Emergency Management Program, subject to the direction and control of the County governing body (ORS 401.305), and this chapter.

The County Administrator shall appoint a Manager to administer the Emergency Management Program. The appointed manager shall be responsible for day-to-day operations defined in ORS 401.025(6).

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.19 JACKSON COUNTY EMERGENCY OPERATIONS PLAN.

The Emergency Management Program shall be responsible for the preparation of an emergency operations plan, hereinafter referred to as "plan." This plan shall be a written document detailing mitigation, preparedness, response, and recovery processes for use in dealing with actual or potential disasters, and shall provide a framework within which emergency response agencies may function to safeguard life and property. The plan is intended to be used only as a guide and does not carry the force of law. All County departments are authorized to take immediate action outside of the plan when human life is threatened. Nothing within this section requires the County to provide services to a city exceeding provisions of the Emergency Operations Plan.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.20 EMERGENCY OPERATIONS CENTER.

(a) To facilitate emergency response, an Emergency Operations Center (EOC) may be established as needed. The EOC will be staffed and equipped to enable radio communications with field units and on-site command posts, and with the State of Oregon Emergency Operations Center, the State of Oregon Emergency Management (OEM), and Emergency Management Program.

(b) The EOC shall be established in one of the following locations:

- (1) Jackson County Emergency Communications Center located at 400 Pech Road, Medford, Oregon whose mailing address is 400 Pech Road, Central Point Oregon 97502;
- (2) Community Justice Building 2nd floor, located at 1101 W. Main Street, Medford Oregon 97501.

(c) A mobile EOC will be deployed to field locations as needed. The Sheriff's Department shall be responsible for the deployment of the mobile EOC.

(d) The EOC shall be operated pursuant to the Incident Command System. The County Administrator or his/her designee appointed pursuant to Section 244.15(a) shall perform the duty of incident commander and shall make all personnel assignments according to need. Whenever an emergency affects two or more political subdivisions, the concept of Unified Command shall be put into effect.

(e) The EOC will be staffed by personnel from County government and other public and private entities as needed.

(f) The Emergency Management Program Manager will schedule quarterly training for EOC personnel.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94; Ord. 2011-1. Passed 2-16-11.)

244.21 TERMINATION OF STATE OF EMERGENCY.

The Board shall declare the termination of the existence of a state of emergency. A state of emergency shall be terminated at the earliest date conditions warrant. The Board shall publicize said termination throughout the County. Upon such declaration of termination, all emergency rules and orders and extraordinary authority and controls allowed by this chapter shall have no further force or effect and shall cease to exist.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.22 PENALTIES.

Any person, firm, corporation, association or entity that violates any emergency measure taken under authority of this ordinance shall be subject to all of the penalties and provisions of Section 202.99 of these Codified Ordinances.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.23 SEPARABILITY.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)