

Chapter 9 - CIVIL DEFENSE; DISASTER AND EMERGENCY PREPAREDNESS

Sec. 9-1. - Definition.

As used in this chapter the term "civil defense" shall include measures for the mobilization, organization and direction of the civilian population and necessary support agencies to prevent, or minimize, the effects of fire, flood, earthquake and epidemic, as well as the effects of a nuclear war, or any subversive activities against the populace, communities, industrial plants, facilities and other installations; and further shall include all of the elements of the definition contained in section 31-9-3, Code of Alabama, 1975, as amended.

(Code 1962, § 6-1)

Sec. 9-2. - Civil defense organization—Composition; duties generally.

Officers and employees of the city, with volunteer forces enrolled to aid them during an emergency, and all groups, organizations and persons who make civil defense agreements an operation of law, shall constitute the civil defense organization of the city and shall be charged with the duties necessary for the protection of life and property in the city during an emergency.

(Code 1962, § 6-2)

State Law reference— Local organizations for civil defense, Code of Ala. 1975, § 31-9-10.

Sec. 9-3. - Same—Powers and duties relative to survival plans and mutual aid agreements.

It shall be the duty of the civil defense organization, and it is hereby empowered:

- (1) To develop and maintain a municipal civil defense operational survival plan. This plan shall provide for the effective mobilization of all resources of the city, both private and public, and shall be based upon plans formulated by and in the state operational survival plan.
- (2) To prepare and recommend for consideration by the council ordinances necessary to implement the civil defense operational survival plan.
- (3) To consider and recommend to the council for approval all mutual aid plans and agreements.

(Code 1962, § 6-3)

State Law reference— Mutual aid agreements, Code of Ala. 1975, § 31-9-9.

Sec. 9-4. - Civil defense director—Office created; appointment.

There is hereby created the office of civil defense director for the city. Such officer shall be nominated by the mayor and approved by the council.

(Code 1962, § 6-4)

State Law reference— Authority of city to appoint a director of civil defense, Code of Ala. 1975, § 31-9-10(a).

Sec. 9-5. - Same—Powers and duties.

The civil defense director is hereby directed and empowered:

- (1) To represent the mayor on all matters pertaining to civil defense.
- (2) During periods of emergency to direct the services of all municipal civil defense forces.
- (3) To obtain and utilize cooperation of city officials in the preparation and implementation of all civil defense operational survival plans.
- (4) During periods of emergency to obtain vital supplies and equipment needed for the protection of life and property of the people.

(Code 1962, § 6-5)

Sec. 9-6. - Compensation and immunities of volunteers.

All persons, other than officers and employees of the city, volunteering in service pursuant to compliance with this chapter, shall serve without compensation. While engaged in such service they shall have the same immunities as officers and employees of the city performing similar duties.

(Code 1962, § 6-6)

State Law reference— Immunity and exemption of civil defense workers, Code of Ala. 1975, § 31-9-16.

Sec. 9-7. - Proclamation of emergency—Power of mayor, or president pro tem. of council to issue; regulations thereunder.

Whenever, in the judgment of the mayor, or in the event of the mayor's inability to act, the president pro tem. of the council determines that an emergency exists as a result of mob action or other civil disobedience causing danger of injury to or damage to persons or property, such officer shall have power to impose by proclamation any or all of the following regulations necessary to preserve the peace and order of the city:

- (1) To impose a curfew upon all or any portion of the city, thereby requiring all persons in such designated curfew areas to forthwith remove themselves from the public streets,

alleys, parks or other public places; provided, however, that physicians, nurses and ambulance operators performing medical services, utility personnel maintaining essential public services, fire-fighters and city-authorized or requested law enforcement officers and personnel may be exempted from such curfew.

- (2) To order the closing of any business establishment anywhere within the city for the period of the emergency, such businesses to include, but not limited to, those selling intoxicating liquors, malt or brewed beverages, gasoline, firearms and ammunition.
- (3) To designate any public street, thoroughfare or vehicle parking area closed to motor vehicles and pedestrian traffic.
- (4) To call upon regular and auxiliary law enforcement agencies and organizations within or without the city to assist in preserving and keeping the peace within the city.

(Code 1962, § 2-15)

Cross reference— Parade permit, § 20-19.

State Law reference— Authority of mayor to close firearms shops and places of amusement, Code of Ala. 1975, §§ 11-43-82, 11-51-102.

Sec. 9-8. - Same—Taking effect.

The proclamation of emergency provided in section 9-7 shall become effective upon its issuance and dissemination to the public by appropriate news media.

(Code 1962, § 2-16)

Sec. 9-9. - Same—Termination or extension.

Any emergency proclaimed in accordance with the provisions of section 9-7 shall terminate after forty-eight (48) hours from the issuance thereof, or upon the issuance of a proclamation determining that an emergency no longer exists, whichever occurs first; provided, however, such emergency may be extended for such additional periods of time as determined necessary by resolution of the governing body.

(Code 1962, § 2-17)

Sec. 9-10. - Same—Penalties for noncompliance.

Any person who shall wilfully fail or refuse to comply with the orders of duly authorized law enforcement officers or personnel charged with the responsibility of enforcing the proclamation of emergency authorized in section 9-7 shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be punished as provided in section 1-8.

(Code 1962, § 2-18)