

# Authority and Adoption

Several key authorities guide the structure, development, and implementation of the City's Emergency Management Plan.

## **A. Federal**

At the federal level there are a number of statutes, including:

### **Homeland Security act of 2002, Pub. Law 107-296, 116 Stat. 2135 (2002)**

This act established the Department of Homeland Security with the mandate and legal authority to protect American citizens from the continuing threat of terrorism and to act as the focal point for natural and manmade crises and emergency planning.

### **Homeland Security Presidential Directive - 5**

This directive is intended to provide a single, comprehensive national incident management system, which supports and outlines the unified approach that will be used by federal, state, and local governments in response to emergencies.

### **Robert T. Stafford Disaster Relief and Emergency Assistance Act**

The Stafford Act establishes the programs and processes that the federal government will use to provide disaster and emergency services to state and local governments.

## **B. State**

At the state level the following Oregon Revised Statutes provide the foundation for authorizing a jurisdiction to develop and implement the components of an emergency management plan. **ORS 401.305 through ORS 401.335**

### **ORS 401.305 Emergency management agency of city or county; emergency program manager; coordination of emergency management functions.**

Each county of this state shall, and each city may, establish an emergency management agency which shall be directly responsible to the executive officer or governing body of the county or city. The executive officer or governing body of each county and any city which participates shall appoint an emergency program manager who shall have responsibility for the organization, administration, and operation of such agency, subject to the direction and control of the county or city. The local governing bodies of counties and cities that have both city and county emergency management programs shall jointly establish policies which provide direction and identify and define the purpose and roles of the individual emergency management programs, specify the responsibilities of the emergency program managers and staff, and establish lines of communication, succession and authority of elected officials for an effective and efficient response to emergency conditions. Each emergency management agency shall perform emergency program management functions within the

territorial limits of the county or city and may perform such functions outside the territorial limits as required under any mutual aid or cooperative assistance agreement or as authorized by the county or city. Such emergency management functions shall include, as a minimum, coordination of the planning activities necessary to prepare and maintain a current emergency operations plan, management and maintenance of emergency operating facilities from which elected and appointed officials can direct emergency and disaster response activities, and establishment of an incident command structure for management of a coordinated response by all local emergency service agencies. [1983 c.586 ' 12; 1993 c.187 ' 9]

### **C. Local**

The authority for provisions of the City of Springfield's emergency actions are contained in the **Municipal Code, Chapter 1, Sections 2.800 to 2.818, Emergency Management, as amended (by Ordinance No. 5866, 1 November 1997).**