

**TITLE III: ADMINISTRATION**

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## CHAPTER 30: CITY COUNCIL

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#### **GENERAL PROVISIONS**

##### **§ 30.01 CITY ELECTION.**

Pursuant to M.S.A. § 205.07(I), as it may be amended from time to time, the regular city election will hereafter be held on the first Tuesday after the first Monday in November.  
(Prior Code, § 2.28)

##### **§ 30.02 NOTICE LOCATIONS DESIGNATIONS.**

(A) It is necessary for the proper posting of public notices, which are required to be posted by law, to be at some regular place designated as three of the most public places within the city, and for that purpose billboards shall be built and placed at the points as are hereinafter designated, as follows, to-wit:

(1) One to be located in the lobby of the City Hall;

(2) One at the entrance of the library on Jones Avenue; and

(3) One in the lobby at the U.S. Post Office.

(B) The city shall have billboards built, hung, and maintained at the three places described above.  
(Prior Code, § 2.30)

##### **§ 30.03 OFFICIAL LANGUAGE.**

The English language is declared the official language of the city, and official proceedings, records, ordinances, and publications shall be in the language.  
(Prior Code, § 2.31)

##### **§ 30.04 COMPENSATION OF MAYOR AND MEMBERS.**

The salary of the Mayor and Council members shall be as set forth from time to time by ordinance.  
(Prior Code, § 2.29)

***RULES OF PROCEDURE*****§ 30.15 MEETINGS; TIME AND PLACE.**

(A) (1) The City Council, unless designated, shall have regular sessions on the first and third Tuesday of each month at 6:30 p.m. and if the Tuesday shall fall on a holiday, shall have its regular session the next following day. Adjourned and special sessions shall be at any other time the Council may deem proper. The first meeting of the year shall be held on the Tuesday following the first Monday of the year.

(2) The Council may also, at its discretion, decide to hold only one meeting per month, to be held on the first Tuesday of each month, during the months of June, July, and August of each year. Should the Council decide to hold only one meeting per month, a resolution shall be passed prior to June 1 in each and every year during which only one meeting per month will be held during the months of June, July, and August. All meetings shall be held in the City Hall. (Prior Code, § 2.01) (Am. Ord. 4, Second Series, passed 1-19-88; Am. Ord. 6, Second Series, passed 5-3-88)

(B) (1) Special meetings may be called by the Mayor or any two members in writing filed with the Administrator/Clerk-Treasurer at least one day prior to the time specified for the meeting. The Administrator/Clerk-Treasurer shall mail a notice at least one day before the meeting to all members of the time and place of the meeting and its purpose shall be stated in the call filed with him or her. The Administrator/Clerk-Treasurer shall prepare and file in his or her office an affidavit by him or her showing mailing of the notices in the manner here prescribed.

(2) Special meetings may be held without notice when all members are present and take part in the meeting or consent, in writing, to hold the special meeting without other notice. The written consent shall be filed with the Administrator/Clerk-Treasurer

prior to the commencement of the meeting. A special meeting attended by all members shall be a regular meeting for the transaction of any business that comes before it.

(Prior Code, § 2.25)

(3) Notwithstanding the provisions of paragraphs (1) and (2) above, pursuant to M.S. § 471.705, as it may be amended from time to time, written notice of any special meeting shall be posted giving the date, time, place, and purpose of the meeting at least three days before the meeting. Written notice shall be mailed at least three days before the meeting to anyone who has filed a written request for notice of special meetings. In calculating the three days, if the last day falls on a Saturday, Sunday or legal holiday, the next regular business day shall be counted as the third day.

(Am. Ord. 13-03, passed 2-5-13)

**§ 30.16 PRESIDING OFFICERS.**

The Mayor shall preside at all meetings of the Council. In the absence of the Mayor, the acting Mayor shall preside. In the absence of both, the Council members shall elect one of their number a temporary chairman. The acting Mayor and temporary chairman, when occupying the place of the Mayor, shall have the same privileges as other members.

(Prior Code, § 2.02)

**§ 30.17 QUORUM.**

At all meetings of the Council, a majority of the Council members elected shall constitute a quorum to do business, but a minority may adjourn from day to day and may compel the attendance of absentees by a fine not exceeding \$10 for each offense, unless a reasonable excuse be offered.

(Prior Code, § 2.03)

### § 30.18 ORDER OF BUSINESS.

At the hour appointed for meeting, the members shall be called to order by the Mayor, and in his or her absence by the acting Mayor, and in the absence of both, by the Administrator/Clerk-Treasurer. The Administrator/Clerk-Treasurer shall call the roll, note the absentees and announce whether a quorum be present. In the absence of the Administrator/Clerk-Treasurer, the Mayor shall appoint a secretary pro tem. Upon the appearance of a quorum, the Council shall proceed to business which shall be conducted in the following order:

(A) Call to order;

(B) Roll call;

(C) Reading of the minutes of the last meeting, which, if no correction be offered, shall stand approved or the same may be waived if each member was furnished a copy thereof prior to the meeting;

(D) Presentation of petitions and citizen forum;

(E) Action on consent agenda;

(F) Business;

(G) Correspondence; and

(H) Adjournment.

(Prior Code, § 2.04) (Am. Ord. 7, Second Series, passed 11-21-89)

### § 30.19 PRESERVATION OF ORDER AND DECORUM.

(A) *Motions and voting.* The Mayor shall preserve order and decorum and shall decide questions of order subject to an appeal to the Council. The Mayor may make motions, second motions or speak on any questions provided, however, that in order to do so, upon demand of anyone Council member, he or she shall vacate the chair and designate a Council

member to preside temporarily. The Mayor shall be entitled to vote like other members of the Council. (Prior Code, § 2.05)

(B) *Discussion.* Every member, previous to his or her speaking, shall arise and address the chairman and shall not proceed until he or she has been recognized by the chair. He or she shall indulge in no personalities and shall confine his or her remarks to the matter under debate. (Prior Code, § 2.06)

(C) *Limitations and remarks.* No member shall speak more than twice on any question nor more than five minutes each time without unanimous consent of the Council. (Prior Code, § 2.07)

(D) *Point of order.* A member called to order shall immediately suspend his or her remarks until the point of order is decided. (Prior Code, § 2.08)

(E) *Preservation of order.* A licensed peace officer shall attend meetings of the Council when requested to do so by the Mayor and preserve order in the room. (Prior Code, § 2.20)

### § 30.20 RESOLUTIONS AND MOTIONS IN WRITING.

(A) All resolutions shall be in writing. (Prior Code, § 2.09)

(B) (1) Every motion, except to adjourn, postpone, reconsider, commit, lay on the table, or for the previous question, shall be reduced to writing if the chair or any member requires it.

(2) Then made and seconded, it shall be stated by the chairman or being written shall be read by the Administrator/Clerk-Treasurer, and may be withdrawn before decision or amendment, or any disposition thereof has been made, or a vote taken thereon. (Prior Code, § 2.10)

**§ 30.21 QUESTIONS; DEBATE AND VOTE.**

(A) *Motions during debate.* When a question is under debate no motion shall be entertained, unless to adjourn, to lay on the table, or to act on the previous question, to postpone, to commit or to amend, which several motions shall have precedence in the order in which they are named, and the first three shall be decided without debate. (Prior Code, § 2.11)

(B) *Division.* Any question shall be divided at the request of any member when the same will admit. (Prior Code, § 2.12)

(C) *Voting.* When a question is put by the chair, every member present shall vote unless for special reasons the Council shall excuse him or her, but if interested he or she shall not vote. In doubtful cases, the chair may direct or a member may call for a division. The yeas and nays shall be called upon a requisition of the chair or a member, in which case the names of the members are to be recorded in the minutes. (Prior Code, § 2.13)

(D) *Order of questions.* All questions shall be put in the order in which they are moved, except in case of privileged questions. (Prior Code, § 2.14)

(E) *Previous question.* The previous question shall be put in these words: "Shall the question now be put?" It shall be admitted on demand of any two members, and until decided shall preclude all amendments and debate of the main question. (Prior Code, § 2.15)

(F) *Manner of voting.* Votes of the members on any business coming before the Council may be voice vote, standing vote or in another manner of voting as may signify the intention of the members. All votes must be recorded in the minutes. Every member shall vote in the case unless the Council, by majority vote, shall excuse a member from voting. (Prior Code, § 2.26)

**§ 30.22 COMMITTEES.**

Unless otherwise provided by law of this code, all committees including standing committees shall be appointed by the Mayor, unless expressly ordered by the Council.

(Prior Code, § 2.16)

**§ 30.23 ORDINANCES.**

After an ordinance shall have passed, a complete and accurate copy as amended shall be made by the Administrator/Clerk-Treasurer and shall be signed by the Mayor or in his or her absence, by the acting Mayor, and deposited with the Administrator/Clerk-Treasurer, who shall attest, seal, number, file, publish and record or place the same permanently in the ordinance book. Entry of the complete ordinance as amended directly into the book and original signatures and seal thereon shall be in compliance with this section. The affidavit and publication shall be permanently inserted in the book after each ordinance.

(Prior Code, § 2.17)

**§ 30.24 READING PETITIONS.**

Petitions and other papers addressed to the Council shall be read by the Mayor upon presentation of the same to the Council.

(Prior Code, § 2.18)

**§ 30.25 MEETINGS OPEN TO THE PUBLIC.**

All sessions of the Council shall be public, except those allowed by statute or otherwise to be closed.

(Prior Code, § 2.20)

**§ 30.26 RULE GUIDELINES; SUSPENSION.**

(A) *Suspension.* These rules, or any of them, may be temporarily suspended by consent of a majority of all Council members, and shall not be

repealed, altered or amended by concurrence of a majority of the whole Council, and upon notice given at the preceding meeting. (Prior Code, § 2.21)

(B) *Robert's Rules of Order*. In all points not covered by these rules, the Council shall be governed on its procedure by *Robert's Rules of Order*. (Prior Code, § 2.22)

(C) *Purpose of rules*.

(1) Foregoing rules are adopted to facilitate the transaction of Council business and functions. They should not be permitted to defeat or hinder the plainly expressed intent and desire of the Council. Informal compliance and substantial performance shall be sufficient under the foregoing rules in the absence of objection seasonably taken.

(2) Objection is hereby declared not to have been seasonably taken as to procedural matters provided for herein if a Council member present at a meeting fails to object during the meeting and requests compliance with these rules, and the objection shall not be seasonably taken by an absent member later than the next regular meeting after the proceedings to which objection is made. (Prior Code, § 2.23)

### § 30.27 MINUTES.

(A) Minutes of the meeting shall be kept by the Administrator/Clerk-Treasurer. They shall be signed by the Administrator/Clerk-Treasurer, and shall constitute an official record of the Council proceedings. Upon approval of the minutes at a subsequent meeting of the Council, the Mayor shall sign the minutes. Lack of the Mayor's signature or Council approval shall not invalidate the minutes as official records.

(B) In the event the Administrator/Clerk-Treasurer shall fail or decline to amend or change his or her minutes, upon informal request, at the time they are submitted for approval, the Council may, by

motion carried by majority vote, amend the minutes. The amending motion shall become a part of the minutes of the subsequent meeting.

(Prior Code, § 2.27)

### § 30.28 ADJOURNMENT.

The Council may at any time by a majority vote of those present, adjourn from time to time to specific date and hour whether or not a quorum is present.

(Prior Code, § 2.24)



**CHAPTER 31: AUTHORITIES, BOARDS, COMMITTEES AND COMMISSIONS**

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***ECONOMIC DEVELOPMENT AUTHORITY***

**§ 31.01 ESTABLISHMENT.**

An Economic Development Authority for the City of Buhl is hereby established to be known as the “Buhl Economic Development Authority.”  
(Ord. 20, Second Series, passed 1-2-96)

**§ 31.02 AUTHORITY.**

The Buhl Economic Development Authority shall have the powers contained in M.S. §§ 469.090 to 469.108, as they may be amended from time to time, except as hereinafter limited:

(A) The sale of all bonds or obligations issued by the Authority shall be approved by the City Council before issuance.

(B) The Buhl Economic Development Authority shall follow the budget process for city departments as provided by the city and as implemented by the City Council and Mayor.

(C) The Authority shall submit its administrative structure and management practices to the City Council for approval.  
(Ord. 20, Second Series, passed 1-2-96)

**§ 31.03 TRANSFER OF HOUSING AND REDEVELOPMENT AUTHORITY.**

The Authority of the Buhl Housing and Redevelopment Authority is hereby transferred to the Buhl Economic Development Authority. (Ord. 20, Second Series, passed 1-2-96)

**§ 31.04 COMMISSIONERS; TERMS AND APPOINTMENTS.**

(A) The Buhl Economic Development Authority shall consist of seven Commissioners, who shall be appointed by the Mayor with the approval of the City Council. Three of the Commissioners shall be members of the City Council.

(B) The terms of the Commissioners who are Council members shall coincide with their term of office as members of the City Council. Commissioners who are not members of the City Council shall be appointed for six-year terms. (Ord. 20, Second Series, passed 1-2-96; Am. Ord. 98-02, passed 3-17-98)

**§ 31.05 COMPENSATION AND REIMBURSEMENT.**

Commissioners shall serve without compensation, however, Commissioners may be reimbursed for actual expenses incurred in doing official business of the Authority. (Ord. 20, Second Series, passed 1-2-96)

***LIBRARY BOARD*****§ 31.15 ESTABLISHMENT.**

A Library Board composed of five members is hereby established for the purpose of adopting bylaws and regulations for the government of the City of Buhl

Public Library and for the conduct of said library's business as may be expedient and conformable to law and to have all the powers and do all things as may be authorized and permitted to public libraries established by cities under M.S. §§ 134.001 through 134.15, inclusive. (Prior Code, § 3.01) (Am. Ord. 9, Second Series, passed 9-4-90; Am. Ord. 08-04, passed 5-6-08; Am. Ord. 10-02, passed 9-7-10)

**§ 31.16 MEMBERS; APPOINTMENT AND TERMS.**

All appointments shall be made by the Mayor for a term of three years, except that initial appointments shall be for a period as to provide for staggered terms. (Prior Code, § 3.01) (Am. Ord. 9, Second Series, passed 9-4-90)

**§ 31.17 DUTIES.**

The duties of the Library Board (the Board) are as follows:

(A) To organize by electing one of its members as president and one as secretary, and from time to time appointing such other officers as the Board deems necessary;

(B) To hold monthly meetings at regularly established times and to hold special meetings as necessary for the conduct of business and to adopt bylaws and regulations for the government of the library and for the conduct of library business as may be expedient and conformable to law;

(C) To have exclusive control of the expenditure of all money collected for or placed to the credit of the library fund, of interest earned on all money collected for or placed to the credit of the library fund. All money received for the library shall be paid into the city or County Treasury, credited to the library fund, kept separate from other money of the city or county, and paid out only upon approval by the Board;

(D) To have exclusive control of the construction of library buildings, and of the grounds, rooms, and buildings provided for library purposes;

(E) To lease rooms for library use, if the Board deems expedient or necessary;

(F) To appoint a qualified library director and other staff as necessary, establish the compensation of employees, and remove any of them for cause;

(G) With the approval of the Council, the Library Board may purchase grounds and erect a library building thereon;

(H) As soon as practicable following the end of the fiscal year the Library Board shall report to the City Council all amounts received during the preceding year and the sources thereof, the amounts expended and for what purposes, the number of library materials on hand, the number purchased and loaned, and such other information as it deems advisable. No later than April 1 of each year the Library Board shall file this information with the Department of Education on forms supplied by the department.

(Prior Code, § 3.01) (Am. Ord. 9, Second Series, passed 9-4-90; Am. Ord. 08-04, passed 5-6-08)

***Cross-reference:***

*Destruction of library and books, see § 133.02*

***RECREATION BOARD***

**§ 31.25 ESTABLISHMENT AND COMPOSITION.**

A Recreation Board is hereby established, composed of five members appointed by the Mayor and confirmed by the Council.  
(Prior Code, § 3.03)

**§ 31.26 OFFICERS; ELECTION AND COMPENSATION.**

(A) The Board shall elect a president, vice-president, secretary, and treasurer and members shall be appointed for three-year staggered terms. Original and successive appointees shall serve offices until their successors are appointed and qualified.

(B) Any vacancy shall be filled for the unexpired portion of the term by the appropriate appointed body.

(C) Members of the Board shall serve without compensation and shall not be personally interested in any contracts of the Board.

(D) A majority of the Board shall constitute a quorum for the transaction of business.  
(Prior Code, § 3.03)

**§ 31.27 DUTIES.**

The Board shall have control over playgrounds and other recreational facilities and submit claims for payment consistent with amounts budgeted for by Council action.

(Prior Code, § 3.03)

**§ 31.28 FINANCES.**

For the purpose of financing the program authorized by this subchapter, the Council, in addition to the amount as it may be authorized to levy, shall annually appropriate from the general fund an amount as the Council may deem necessary to appropriate.

(Prior Code, § 3.03)

**CABLE TELEVISION COMMITTEE****§ 31.35 ESTABLISHMENT.**

A Cable Television Committee is established in the city, consisting of three members appointed by the Mayor, subject to approval by the City Council. (Prior Code, § 3.07)

**§ 31.36 DUTIES.**

The Committee shall have the following duties:

(A) They shall advise the Mayor and Council, shall monitor the franchisee and will insure compliance with the provisions of the agreement.

(B) The Committee shall submit an annual report to the city, to the cable communications systems operator and to the Minnesota Cable Commission Board assessing the operator franchisee's performance according to the terms of the franchise and make recommendations to the franchiser regarding the current state of the cable television system.

(C) (1) Three months prior to the expiration of the franchise and to the expiration of the certificate of conformation, the Cable Television Committee shall submit a report, which shall include a written appraisal of the franchise operator over the entire length of the franchise with regard to the provisions of the franchise, to the City Council.

(2) The report shall also include recommendations for original and additional provisions of the franchise concerning at least the following items: channel capacity, channels for access cable casting, facilities and staff assistance available for access cable casting, two-way capabilities, and the need for further service to be extended within the franchise area based upon a reassessment of the communication needs of the franchise of the city in relation to the services generally offered by the cable industry.

(3) A copy of the report shall be sent within ten days of submission to the franchising authority, to the cable communications systems operator and to the state's Commission.

(Prior Code, § 3.07)

**Cross-reference:**

*Franchise Agreements, see Table of Special Ordinances II*

**PLANNING AND ZONING COMMISSION****§ 31.60 LONG-RANGE PLANNING AND ZONING COMMISSION.**

(A) *Establishment and composition.* A Long-Range Planning and Zoning Commission is hereby established, composed of seven members appointed by the Mayor and confirmed by the City Council.

**(B) Officers, election and compensation.**

(1) Members shall be appointed for three-year staggered terms. Initially, current members of the Planning and Zoning Commission and the Long-Range Planning Committee will be appointed to this Commission and their terms will be the same as when they were on the previous Commission or Committee. There shall be no limit on the number of terms for which a member shall be eligible to serve on the Long-Range Planning and Zoning Commission. Original and successive appointees shall serve offices until their successors are appointed and qualified or until January 1 following the end of their term, whichever comes later.

(2) At their first meeting of each year, the members of the Commission shall elect a president, vice-president and secretary.

(3) Any vacancy shall be filled for the unexpired portion of the term by the appropriate appointed body.

(4) Members of the Commission shall serve without compensation and shall not be personally interested in any contracts of the Commission.

(5) A majority of the Commission shall constitute a quorum for the transaction of business.

(C) *Duties.*

(1) To establish, view and revise as may be necessary or appropriate, a long-range plan consisting of five and ten-year plans to recommend to the City Council. Plans must include proposed projects by which the plans are effectuated. Plans must include suggestions and/or recommendations for the financing of these projects.

(2) To present the plans to the City Council, to respond to questions from the City Council and to make recommendations to the City Council in regards to the plans and/or projects.

(3) To hold quarterly meetings on the second Tuesday of January, April, July and October at 6:00 p.m. at City Hall and to hold special meetings as necessary for the conduct of business. All meetings must adhere to the Minnesota Open Meeting Law.

(4) To report to the City Council by submitting a true copy of the minutes of all meetings held.

(5) To perform all duties that are described in Chapter 15, §§ 115.110 through 115.122.

(D) *Finances.* For the purpose of financing the program authorized by this section, the City Council, in addition to any amount it may be authorized to levy, shall annually appropriate from the general fund such amounts the City Council may deem necessary or in the public good to appropriate.

(Ord. 13-07, passed 10-15-13; Am. Ord. 14-01, passed 1-21-14)



## CHAPTER 32: EMERGENCY MANAGEMENT

### Section

- 32.01 Purpose
- 32.02 Interpretation and effect
- 32.03 Definitions
- 32.04 Establishment of emergency management organization
- 32.05 Powers and duties of Director
- 32.06 Local emergencies
- 32.07 Emergency regulations
- 32.08 Participation in labor disputes or politics

state and of other states with respect to the carrying out of emergency-preparedness functions; and

(D) To comply with the provisions of M.S. § 12.25, as it may be amended from time to time, which require that each political subdivision of the state shall establish a local organization for emergency management.

### § 32.01 PURPOSE.

Because of the existing possibility of the occurrence of disasters of unprecedented size and destruction resulting from fire, flood, tornado, blizzard, destructive winds or other natural causes, from sabotage or hostile action, or from hazardous material mishaps of catastrophic measure, and in order to insure that preparations of this city will be adequate to deal with disasters, and generally, to provide for the common defense and to protect the public peace, health and safety, and to preserve the lives and property of the people of this city, it is hereby found and declared to be necessary:

(A) To establish a city emergency management organization responsible for city planning and preparation for emergency government operations in time of disasters;

(B) To provide for the exercise of necessary powers during emergencies and disasters;

(C) To provide for the rendering of mutual aid between the city and other political subdivisions of the

### § 32.02 INTERPRETATION AND EFFECT.

All functions and activities relating to emergency management are hereby declared to be governmental functions. The provisions of this section shall not affect the right of any person to receive benefits to which he or she would otherwise be entitled under this chapter, the workers' compensation law, or any pension law, nor the right of any person to receive any benefits or compensation under any act of Congress.

### § 32.03 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**DISASTER.** A situation which creates an immediate and serious impairment to the health and safety of any person, or a situation which has resulted in or is likely to result in catastrophic loss to property, and for which traditional sources of relief and assistance within the affected area are unable to repair or prevent the injury or loss.

**EMERGENCY.** An unforeseen combination of circumstances which calls for immediate action to prevent from developing or occurring.

**EMERGENCY MANAGEMENT.** 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 caused by fire, flood, tornado and other acts of nature, or from sabotage, hostile action, or from industrial hazardous material mishaps. These functions include, without limitation, fire fighting services, police services, emergency medical services, engineering, warning services, communications, radiological and chemical, evacuation, congregate care, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services and other functions related to civil protection, together with all other activities necessary or incidental for carrying out the foregoing functions. **EMERGENCY MANAGEMENT** includes those activities sometimes referred to as “civil defense” functions.

**EMERGENCY MANAGEMENT FORCES.** The total personnel resources engaged in city-level emergency management functions in accordance with the provisions of this chapter or any rule or order thereunder. This includes personnel from city departments, authorized volunteers and private organizations and agencies.

**EMERGENCY MANAGEMENT ORGANIZATION.** The staff responsible for coordinating city-level planning and preparation for disaster response. This organization provides city liaison and coordination with federal, state, and local jurisdictions relative to disaster preparedness activities and assures implementation of federal and state program requirements.

#### **32.04 ESTABLISHMENT OF EMERGENCY MANAGEMENT ORGANIZATION.**

There is hereby created within the city government, the Emergency Management Organization which shall be under the supervision and control of the City Emergency Management Director, called the Director. The Director shall be appointed by the Mayor for an indefinite term and may be removed at any time. The Director shall serve with a salary and shall be paid necessary expenses. The Director shall have direct responsibility for the organization, administration, and operation of the emergency preparedness organization, subject to the direction and control of the Mayor.

#### **§ 32.05 POWERS AND DUTIES OF DIRECTOR.**

(A) (1) The Director, with the consent of the Mayor, shall represent the city on any regional or state conference for emergency management. The Director shall develop proposed mutual aid agreements with other political subdivisions of the state for reciprocal emergency management aid and assistance in an emergency too great to be dealt with unassisted, and shall present these agreements to the Council for its action.

(2) These arrangements shall be consistent with the state emergency plan.

(B) The Director shall make studies and surveys of the human resources, industries, resources, and facilities of the city as deemed necessary to determine their adequacy for emergency management and to plan for their most efficient use in time of an emergency or disaster. The Director shall establish the economic stabilization systems and measures, service staffs, boards, and sub-boards required, in accordance with state and federal plans and directions, subject to the approval of the Mayor.

(C) The Director shall prepare a comprehensive emergency plan for the emergency preparedness of the city and shall present the plan to the Council for its

approval. When the Council has approved the plan, it shall be the duty of all city agencies and all emergency preparedness forces of the city to perform the duties and functions assigned by the plan as approved. The plan may be modified in like manner from time to time. The Director shall coordinate the emergency management activities of the city to the end that they shall be consistent and fully integrated with the emergency plans of the federal government and the state and correlated with emergency plans of the county and other political subdivisions within the state.

(D) In accordance with the state and city emergency plans, the Director shall institute training programs and public information programs and conduct practice warning alerts and emergency exercises as may be necessary to assure prompt and effective operation of the city emergency plan when a disaster occurs.

(E) (1) The Director shall utilize the personnel, services, equipment, supplies, and facilities of existing departments and agencies of the city to the maximum extent practicable. The officers and personnel of all city departments and agencies shall, to the maximum extent practicable, cooperate with and extend services and facilities to the city's Emergency Management Organization and to the Governor upon request.

(2) The head of each department or agency in cooperation with the Director shall be responsible for the planning and programming of emergency activities as will involve the utilization of the facilities of the department or agency.

(F) The Director shall, in cooperation with those city departments and agencies affected, assist in the organizing, recruiting, and training of emergency management personnel, which may be required on a volunteer basis to carry out the emergency plans of the city and state. To the extent that emergency personnel are recruited to augment a regular city department or agency for emergencies, they shall be assigned to the departments or agencies and shall be under the administration and control of the department or agency.

(G) Consistent with the state emergency services law, the Director shall coordinate the activity of municipal emergency management organizations within the city and assist in establishing and conducting training programs as required to assure emergency operational capability in the several services as provided by M.S. § 12.25, as it may be amended from time to time.

(H) The Director shall carry out all orders, rules and regulations issued by the Governor with reference to emergency management.

(I) The Director shall prepare and submit reports on emergency preparedness activities when requested by the Mayor.

**§ 32.06 LOCAL EMERGENCIES.**

(A) A local emergency may be declared only by the Mayor or his or her legal successor. It shall not be continued for a period in excess of three days, except by or with the consent of the Council. Any order or proclamation declaring, continuing, or terminating a local emergency shall be given prompt and general publicity and shall be filed in the office of the City Administrator.

(B) A declaration of a local emergency shall invoke necessary portions of the response and recovery aspects of applicable local or inter-jurisdictional disaster plans, and may authorize aid and assistance thereunder.

(C) No jurisdictional agency or official may declare a local emergency unless expressly authorized by the agreement under which the agency functions. However, an inter-jurisdictional disaster agency shall provide aid and services in accordance with the agreement under which it functions.

**§ 32.07 EMERGENCY REGULATIONS.**

(A) Whenever necessary to meet a declared emergency or to prepare for an emergency for which

adequate regulations have not been adopted by the Governor or the Council, the Council may by resolution promulgate regulations consistent with applicable federal or state law or regulations respecting the conduct of persons and the use of property during emergencies, the repair, maintenance and safeguarding of essential public services, emergency health, fire and safety regulations, drills or practice periods required for preliminary training, and all other matters which are required to protect public safety, health, and welfare in declared emergencies.

(B) Every resolution of emergency regulations shall be in writing, shall be dated, shall refer to the particular emergency to which it pertains, if so limited, and shall be filed in the office of the City Administrator/Clerk-Treasurer. A copy shall be kept posted and available for public inspection during business hours. Notice of the existence of these regulations and their availability for inspection at the City Administrator/Clerk-Treasurer's Office shall be conspicuously posted at the front of the City Hall or other headquarters of the city or at other places in the affected area as the Council shall designate in the resolution. By resolution, the Council may modify or rescind a regulation.

(C) The Council may rescind any regulation by resolution at any time. If not sooner rescinded, every regulation shall expire at the end of 30 days after its effective date or at the end of the emergency to which it relates, whichever comes first. Any resolution, rule, or regulation inconsistent with an emergency regulation promulgated by the Council shall be suspended during the period of time and to the extent conflict exists.

(D) During a declared emergency, the city is, under the provisions of M.S. § 12.31, as it may be amended from time to time, and notwithstanding any statutory or Charter provision to the contrary, empowered, through its Council, acting within or without the corporate limits of the city, to enter into contracts and incur obligations necessary to combat the disaster by protecting the health and safety of persons and property and providing emergency

assistance to the victims of a disaster. The city may exercise these powers in the light of the exigencies of the disaster without compliance with the time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering rental equipment agreements, purchase of supplies and materials, limitations upon tax levies, and the appropriation and expenditure of public funds, including, but not limited to, publication of resolutions, publication of calls for bids, provisions of personnel laws and rules, provisions relating to low bids, and requirement for bids.

Penalty, see § 10.99

#### **§ 32.08 PARTICIPATION IN LABOR DISPUTES OR POLITICS.**

The Emergency Management Organization shall not participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes, nor shall it be employed in a labor dispute.