

Attachment B

ORDINANCE G-

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, CHAPTER 11, SECTIONS 11-1 THROUGH 11-7, OFFICE OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That Chapter 11, OFFICE OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, Sections 11-1 through 11-7 are amended to read as follows:

- Sec. 11-1. Purpose and definitions.
- Sec. 11-2. Maintaining an emergency management program and creating the Office of ~~Homeland Security and~~ Emergency Management.
- Sec. 11-3. Powers and duties of the City Council, Mayor, and City Manager.
- Sec. 11-4. Utilization of existing services and facilities.
- Sec. 11-5. Emergency operations plan.
- Sec. 11-6. Enforcement of regulations and proclamations.
- Sec. 11-7. Penalty.

Sec. 11-1. Purpose and definitions.

A. *Purpose.* It is determined and declared to be necessary to maintain an Office of ~~Office of Homeland Security and~~ Emergency Management for the City of Phoenix to prepare for, respond to, recover from and mitigate against threatened or actual natural and human-caused emergencies or acts of terrorism.

B. Definitions.

Director means the individual designated by the City Manager to manage the coordination among emergency resources and with other governments. THE DIRECTOR HAS THE DAY-TO-DAY RESPONSIBILITY FOR THE CITY'S OFFICE OF EMERGENCY MANAGEMENT AND ITS ACTIVITIES. The Director is the liaison between the Emergency Operations Center and the Policy/Advisory Group.

~~*Emergency* means any local incident, whether natural or human-caused, which requires only local response to protect public health and safety, property, or harm to the environment.~~

Emergency Management means the preparedness, response, recovery, and mitigation activities necessary to respond to and recover from any disasters or emergencies.

Emergency Management Coordinator means the person who ASSISTS THE DIRECTOR WITH has the day-to-day FUNCTIONS OF THE ~~responsibility for the~~ City's OFFICE OF Emergency Management Program and ITS activities, SERVING AS THE SECONDARY OFFICIAL RESPONSIBLE FOR IMPLEMENTING EMERGENCY MANAGEMENT INITIATIVES UNDER THE DIRECTOR'S GUIDANCE.

~~*Emergency Management Program* means the development and coordination of plans, procedures, training, and exercising for emergency preparedness, mitigation, response, and recovery.~~

Emergency Operations Center (EOC) means a site from which City officials coordinate, monitor, and direct emergency response activities during an emergency.

Emergency Oeoperations Pplan (EOP) means a document that describes how people, property or the environment will be protected in an emergency situation; details who is responsible for carrying out specific actions; identifies the personnel, equipment, facilities, supplies, and other resources available for use in an emergency; and outlines how all actions will be coordinated.

GREAT EMERGENCY HAS THE SAME MEANING AS LOCAL EMERGENCY.

Local emergency IS AS DEFINED IN A.R.S. § 26-301 AS AMENDED. ~~means the existence of conditions of an emergency or of extreme peril to the safety of persons or property within the City that are or are likely to be beyond the control of the services,~~

~~personnel, equipment, and facilities of the City as determined by the City Council, which requires the combined efforts of the political subdivisions of the State of Arizona.~~

National Incident Management System (NIMS) means a system that provides a proactive approach guiding government agencies at all levels, the private sector and nongovernmental organizations to work seamlessly to prepare for, prevent, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity, in order to reduce the loss of life or property and harm to the environment.

OFFICE OF EMERGENCY MANAGEMENT MEANS THE CITY OFFICE RESPONSIBLE FOR THE DEVELOPMENT AND COORDINATION OF PLANS, PROCEDURES, TRAINING, AND EXERCISING FOR EMERGENCY PREPAREDNESS, MITIGATION, RESPONSE, AND RECOVERY.

Policy/Advisory Group means the City Council, Fire Chief, Police Chief, Communications Director, City Attorney, EMERGENCY MANAGEMENT DIRECTOR, and City Manager.

Sec. 11-2. Maintaining an emergency management program and creating the Office of ~~Homeland Security and Emergency Management (OHSEM)~~.

The City of Phoenix Emergency Management Program is hereinafter called the Office of ~~Homeland Security and Emergency Management (OHSEM)~~.

A. Office of ~~Homeland Security and Emergency Management~~.

1. ~~OHSEM~~ shall be under the supervision and control of the City Manager or designee.
2. ~~OHSEM~~ will manage the EOC, essential supporting offices and equipment necessary to coordinate and implement all aspects of emergency mitigation, preparedness, response, and recovery functions.
3. ~~OHSEM~~ shall:
 - a. Perform ~~any and~~ all NECESSARY planning and coordination of emergency management functions during non-emergency periods required by Federal or State of Arizona laws, policies, programs and emergency plans.

- b. Develop an effective Emergency OPERATIONS PLAN

Management Program and build readiness for coordinated operations in emergencies.

Sec. 11-3. Powers and duties of the City Council, Mayor, and City Manager.

A. The City Council.

1. Shall have the power to make, amend, and rescind regulations necessary for emergency management, but such regulations shall not be inconsistent with regulations promulgated by the Governor. Any regulation issued by the Council is effective when a copy is filed in the Office of the City Clerk.

2. Is empowered to declare a local emergency. The Mayor, ~~in the Mayor's absence~~ or IF UNABLE, the Vice-Mayor, shall have the authority to request the declaration of ~~an emergency~~ A LOCAL EMERGENCY by the City Council.

3. Is empowered to terminate a declared ~~emergency~~, LOCAL EMERGENCY.

4. In the absence of specific authority in the State emergency plans and programs, the City Council shall take emergency measures, as deemed necessary to carry out the provisions of State and Federal law.

B. The Mayor. In the event it is deemed necessary to declare the existence of a ~~great~~ LOCAL emergency without delay, the Mayor, or ~~in the absence or disability of the Mayor~~ IF UNABLE, the Vice-Mayor may, by proclamation, declare a local emergency to exist. Such action, however, shall be subject to confirmation by the City Council at its next meeting. When ~~an~~ LOCAL emergency is declared, the emergency plans adopted by the City Council shall be placed in operation.

1. During a LOCAL ~~great~~ emergency, the Mayor shall govern the City of Phoenix by proclamation and shall have the authority to impose all necessary regulations to preserve the peace and order of the City.

2. During periods of a declared local emergency, the Mayor may provide mutual aid to the other political subdivisions when required; and may request the State or a political subdivision to provide mutual aid to the City.

C. The City Manager.

1. Shall supervise and control the Office of ~~Homeland Security~~ and Emergency Management

2. Is responsible in nonemergency periods to act on behalf of the Mayor and Council to ENSURE THE DEVELOPMENT OF ~~develop~~ an effective Emergency Management Plan and Program.

3. DURING A DECLARED LOCAL EMERGENCY, Mmay accept for purposes of emergency management an offer by any government agency, or officer thereof, or an offer by any person, firm, or corporation for services, equipment, supplies, materials, or funds, whether by gift, grant or loan subject to the terms, if any, of the offeror.

4. During LOCAL emergencies, the City Manager shall act as the principal advisor or aide to the Mayor and City Council on emergency operations. The City Manager's major responsibility is to ~~assure~~ ENSURE coordination among CITY DEPARTMENTS ~~emergency forces~~ and with higher and adjacent governments, primarily seeing that the OHSEM functions effectively. The City Manager shall assist

the Mayor in the execution of operations, plans, and procedures required by the LOCAL emergency.

~~5. The City Manager or designee will assign a director to manage the operations in the EOC.~~

65. In the absence of IF the Mayor and the Vice-Mayor ARE UNABLE, the City Manager shall have the authority to request a declaration of LOCAL emergency by the City Council.

Sec. 11-4. Utilization of existing services and facilities.

In preparing and executing the OFFICE OF Emergency Management MISSION Program,; the services, equipment, supplies and facilities of the departments and functions of the City shall be utilized to the maximum extent practicable; and department heads and personnel of all such departments and functions are directed to cooperate with the Emergency Management DIRECTOR Coordinator, or designee, and provide such services and facilities as are needed.

Sec. 11-5. Emergency Ooperations Pplan.

A comprehensive Emergency Operations Plan shall be adopted and maintained by resolution of the City Council upon recommendation of the City Manager. The Emergency Operations Plan shall be considered supplementary to this chapter and have the effect of law whenever LOCAL emergencies, as defined in this chapter, have been proclaimed. WHEN A LOCAL EMERGENCY IS DECLARED, THE EMERGENCY PLAN ADOPTED BY THE CITY COUNCIL SHALL BE PLACED IN OPERATION.

Sec. 11-6. Enforcement of regulations and proclamations.

The Phoenix Police Department shall enforce regulations and proclamations issued pursuant to this chapter.

Sec. 11-7. Penalty.

Any person who violates any provision of this chapter or disobeys any lawful proclamation issued as provided in this chapter shall be guilty of a Class One misdemeanor.

SECTION 2. This Ordinance shall become effective on

_____.

PASSED by the Council of the City of Phoenix this ____ day of _____, 2025.

MAYOR

Date

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:_____

REVIEWED BY:

Jeffrey Barton, City Manager