

ORDINANCE NUMBER 11

CITY OF TOWER, MINNESOTA

An Ordinance providing for civilian defense and for protection and promotion of public safety, health, and welfare in the City of Tower during war emergencies.

Whereas a state of war exists between the United States of America and certain other nations requiring the adoption of adequate measures in every community to provide for civilian defense and for the protection and promotion of public safety, health, and welfare during war emergencies.

The City of Tower ordains:

Section 1. WAR EMERGENCY DEFINED. A war emergency for the purpose of this ordinance shall be deemed to exist whenever the city or any part thereof is threatened by or involved in an enemy air raid or other attack, or a blackout, conflagration, sabotage, or other contingency or condition incident to or resulting from the present war and endangering public safety, health, or welfare in the city.

Section 2. WAR EMERGENCY SERVICES. The head of each city department which may be directly affected by any war emergency or concerned with civilian defense or with the protection or promotion of public safety, health, or welfare during any such emergency shall act as chief of emergency service of his department. In that capacity he shall have charge of providing for such service as may be required of his department in any war emergency, and may call for and accept volunteers for the purposes of such service and dismiss any volunteer at any time and require him to surrender his equipment and insignia or identification furnished by the City. Every volunteer for any such emergency service shall take the same oath, if any, as is required of the members of the regular city forces performing corresponding service. Subject to the other provisions hereof, every such volunteer shall be under the direction and subject to the orders of the chief of the service to which he belongs, and shall perform such duties as the chief may require within the scope of the functions of such service. The several chiefs of the emergency services may make and enforce all necessary and proper rules or orders, conforming with the provisions hereof, to regulate the operation of their respective services, to define the duties of the regular or volunteer members thereof, and to secure efficiency and discipline therein. The Chiefs shall provide suitable instruction and training for the members of their services. Volunteers shall be called into active service only in case of a war emergency for which the regular municipal forces are inadequate, or for necessary training and preparation of such emergencies. All volunteers shall serve without compensation. No volunteer in any such service shall carry any firearm while on duty except on written order of the Chief of Police.

Section 3. IDENTIFICATION. Each Volunteer for any emergency service under this ordinance shall be provided with suitable insignia or other identification as may be specified by his chief. No volunteer shall exercise any authority over the persons or property of others without his insignia or other identification as may be specified by his chief. No person except an authorized volunteer shall use the insignia or identification of such volunteer or otherwise represent himself to be an authorized volunteer.

Section 4. EMERGENCY REGULATIONS. Whenever necessary to meet any actual or imminent war emergency for which adequate regulation have not been adopted by the City Council, the mayor may by proclamation promulgate regulations respecting protection against air raids; the sound of air raid alarms; the conduct of persons and the use of property during alarm periods: the repair, maintenance, and safeguarding of essential public services; emergency health, fire, and safety regulations; trial drills or practice periods required of for preliminary training; and all other matters which are required to protect public safety, health, and welfare in war emergencies. In framing regulations the mayor shall consider suggestions and proposals made by the federal and state agencies concerned. No regulation governing observation of enemy aircraft, air attack alarms, or other war emergencies shall be adopted or take effect unless approved by the proper federal or state authority. Every proclamation of emergency regulations shall be in writing, shall be dated, shall refer to the particular war emergency to which it pertains, and shall be filed in the office of the city clerk, where a copy shall be kept posted and available for public inspection during business hours. A copy of every such proclamation shall also be conspicuously posted at the front of the city hall or other headquarters of the government and at such other places in the affected area as the mayor shall designate in the proclamation. Thereupon the regulation shall take effect immediately or at such later time as may be specified in the proclamation. By like proclamation the mayor may modify or rescind any regulation. The City Council may rescind any such regulation by motion at any time. If not sooner rescinded, every such regulation shall expire at the end of thirty days after its date except so far as its provision may be embraced in ordinance, regulations adopted by the City Council.

Section 5. CONTROL CENTER. There shall be established at some suitable place in the city a control center to be used during war emergencies as headquarters for direction and coordination of the emergency services herein provided for, with facilities for communication with and between the several chiefs of emergency services, the stations and operating units of such services, and with American Red Cross and other agencies concerned with civilian defense and relief in the city during war emergencies and for communication with other control centers within the surrounding area and with the federal and state agencies concerned. The center shall be in charge of a director of war emergency services, who shall be appointed by the City Council and may be removed by it any time. The director shall receive such compensation as the City Council may allow. Subject to the approval of the City Council by motion, the director shall secure and equip a place for an auxiliary control center for use in case the regular center is disabled. The director shall select and train necessary personnel for the operation of the control center. If the city is included in any plan for a superior or joint control center established under federal or state authority or by agreement with any other municipality or other governmental agency, the local control center and all other agencies of the city shall cooperate with and submit to the direction of the authority in charge of such superior or joint control center in all matters consistent with the performance of their duties hereunder. The mayor, director of the local control center, chiefs of emergency services, and other officers and agencies of the city may be authorized by motion of the City Council to participate in the establishment and operation of such superior or joint control center and to attend or be represented thereat, and to suspend or dispense with the operation of a local center if the functions thereof can be effectively performed through such superior or joint control center.

Section 6. EMERGENCY SERVICE STATIONS AND EQUIPMENT. The several chiefs of the emergency services shall establish stations therefore where needed in the city and shall provide at such stations and at the control centers such personnel and equipment as may be necessary.

Section 7. CONFORMITY AND COOPERATION WITH FEDERAL AND STATE AUTHORITY. Every officer and agency of the city shall cooperate with federal and state authorities and with the American Red Cross and other authorized agencies in the administration of civilian defense and war emergency measures to the fullest possible extent consistent with the performance of their other duties. The provisions of this ordinance and of all regulations made thereunder shall be subject to all applicable and controlling provisions of federal and state laws and of regulations and orders issued thereunder from time to time, and shall be deemed to be suspended and inoperative so far as there is any conflict therewith. The city chief of police may appoint any person holding a position in any agency created under federal or state authority for civilian defense or war emergency purposes as a special policeman of the city with such police powers and duties within the city incident to the functions of his position not exceeding those of a regular policeman of the city, as may be prescribed in the appointment provided such person is otherwise qualified to exercise such powers and perform such duties. Every such special policeman shall be subject to the supervision and control of the chief of police and such other police officers of the city as the chief may designate.

Section 8. PENALTY. Any person who violates any provision of this ordinance or of any regulation adopted thereunder relating to acts, omissions, or conduct other than official acts of city officers or employees shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine or not more than \$100 or by imprisonment for not more than 90 days.

Section 9. Effective Time. This ordinance shall take effect upon its passage and publication. This ordinance and every regulation adopted thereunder shall expire on the termination of a state of war unless sooner repealed or rescinded.

Introduced by Alderman Winchell given first reading on July 14, 1942. Given second reading July 29th, 1942. Moved by Alderman Winchell supported by Alderman Anderson that the ordinance be adopted. Adopted July 29th, 1942 by the following vote:

Ayes: Alderman Winchell, Alderman Anderson, Alderman Gornick, Alderman Desannoy and Mayor Rosmyn J. Bruno.

Nays: None.

Published in the Tower Weekly News July 31st, 1942.

Rosmyn J Bruno, Mayor

Rose Stefanich, City Clerk