

TITLE VII SPECIAL ORDINANCES

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WHEREAS, Linn County and its respective cities are vulnerable to various natural hazards such as tornadoes, floods, wildfires, and winter storms, resulting in major disasters causing substantial loss of life and property;

WHEREAS, Linn County and its respective cities are authorized under state law to declare a local state of emergency and take actions necessary to ensure the public safety and well-being of its residents, visitors, business community and property during and after such major disasters;

WHEREAS, it is essential to the well being of the county and its cities to expedite recovery and reconstruction, mitigate hazardous conditions, and improve the community after such major disasters; WHEREAS, disaster recovery and reconstruction can be facilitated by establishment of a Recovery Organization within Linn County and its respective city governments to plan, coordinate and expedite recovery activities.

WHEREAS, preparation of a pre-event plan for disaster recovery and reconstruction can help the county and its cities organize to expedite recovery in advance of a major disaster and to identify and mitigate hazardous conditions, both before and after such a disaster;

WHEREAS, recovery can be expedited by pre-event adoption of an ordinance authorizing certain extraordinary county and city actions to be taken during the declared local emergency to expedite implementation of recovery and reconstruction measures identified in a pre-event plan;

WHEREAS, it is mutually beneficial to cooperatively plan relationships needed between the county, city and other governmental authorities such as the Federal Emergency Management Agency, Small Business Administration, Department of Housing and Urban Development, and the State Emergency Management Division;

WHEREAS, it is informative and productive to consult with representatives of business, industry and citizens' organizations regarding the most suitable and helpful approaches to disaster recovery and reconstruction;

The Linn County Board of Supervisors and the City Councils of the municipal jurisdictions in Linn County do hereby ordain:

Section 1. Authority. This ordinance is adopted by the Linn County Board of Supervisors and the respective City Councils acting under authority of the City Municipal Code, State Code 29C, Emergency Management, and all applicable federal laws and regulations.

Section 2. Purposes. It is the intent of the Linn County Board of Supervisors and the respective City Councils under this chapter to:

Authorize creation of an organization to plan and prepare in advance of a major disaster for orderly and expeditious post-disaster recovery and to direct and coordinate recovery and reconstruction activities;

direct the preparation of a pre-event plan for post-disaster recovery and reconstruction to be updated on a continuing basis;

authorize in advance of a major disaster the exercise of certain planning and regulatory powers relating to disaster recovery and reconstruction to be implemented upon declaration of a local emergency;

identify means by which the county and the cities will consult with and assist citizens, businesses and community organizations during the planning and implementation of recovery and reconstruction procedures.

Section 3. Definitions. As used in this ordinance, the following definitions shall apply:

3-1 Assessed Value. The value of a property, building, or other structured routinely assessed by the County of City Assessor for tax purposes. The assessed value will be the pre-event value of

the property as reflected in the Assessor's records at the time of the disaster event, unless extenuating circumstances can be established and approved by the Assessor.

3-2 Building Official. The person at the county or municipal level authorized to enforce established building codes.

3-3 Damage Assessment Survey. A field survey to determine levels of damage for structures and/or to post placards designating the condition of structures.

3-4 Development Moratorium. A temporary hold, for a defined period of time, on the issuance of building permits, approval of land use applications or other permits and entitlements related to the use, development and occupancy of private property in the interests of protection of life and property.

3-5 Chair. Shall mean the Chair of the Recovery Organization or an authorized representative and/or the Chair of the Recovery Task Force.

3-6 Disaster Assistance Centers (DACs). A multi-agency center organized by FEMA for coordinating assistance to disaster victims.

3-7 Disaster Field Office (DFO). A center established by FEMA for coordinating disaster response and recovery operations, staffed by representatives of federal, state and local agencies as identified in the Federal Response Plan (FRP) and determined by disaster circumstances.

3-8 Disaster Survey Report (DSR). Shall mean a claim by a local jurisdiction for financial reimbursement for repair or replacement of a public facility damaged in a major disaster, as authorized under the Stafford Act and related federal regulations, plans and policies.

3-9 Emergency. Shall mean a local emergency, as defined by the Iowa State Code, which has been declared by the Board of Supervisors and the Mayor/or Mayors of the affected municipalities for a specific disaster and that has not been terminated.

3-10 Event. Shall mean any natural, man-made, or civil occurrence, which results in the declaration of a state of emergency and shall include tornados, fires, floods, winter storms, hazardous materials releases, as referenced in the Hazard Mitigation Plan.

3-11 Federal Response Plan (FRP). A plan prepared by FEMA and over two dozen other federal departments and agencies to coordinate efforts of a large number of federal, state and local agencies in providing response and recovery assistance in an expeditious manner.

3-12 Flood Insurance Rate Map (FIRM). A map showing the outer boundaries of the floodway and floodplain as determined by the Flood Insurance Administration through the National Flood Insurance Program.

3-13 Hazard Mitigation Grant Program. A program for assistance to federal, state and local agencies whereby a grant is provided by FEMA as an incentive for implementing mutually desired mitigation programs, as authorized by the Stafford Act and related federal regulations, plans, and policies.

3-14 Historic Building or Structure. Shall mean any building or structure included on the national register of historic places, the state register of historic places or points of interest, or a local register of historic places.

3-15 Individual Assistance Program. A program for providing small grants to individuals and households affected by a disaster to offset loss of equipment, damage to homes, or the cost of relocation to another home, as authorized under the Stafford Act and related federal regulations.

3-16 In-Kind. Shall mean the same as the prior building or structure in size, height and shape, type of construction, number of units, general location and appearance.

3-17 Major Disaster. Shall mean a locally declared emergency also proclaimed as a state of emergency by the Governor of the State and by the President of the United States.

3-18 Multi-Agency Hazard Mitigation Team. A team of representatives from FEMA, other federal agencies, state emergency management agencies and related state and local agencies, formed to identify, evaluate and report on post-disaster mitigation needs.

3-19 Public Assistance Program. A program for providing reimbursement to federal, state and local agencies and non-profit organizations for repair and replacement of facilities lost or damaged in a disaster, as authorized under the Stafford Act and related federal regulations, plans and policies.

3-20 Recovery. Shall mean the process by which most of private and public buildings and structures not severely damaged or destroyed in a major disaster are repaired and most public and commercial services are restored to normal.

3-21 Reconstruction. Shall mean the rebuilding of permanent replacement housing, construction of large-scale public or private facilities badly damaged or destroyed in a major disaster, addition of major community improvements, and full restoration of a healthy economy.

3-22 Recovery Organization. An interdepartmental organization, which coordinates staff actions in planning and implementing disaster recovery and reconstruction, functions.

3-23 Recovery Plan. A pre-event plan for post-disaster recovery and reconstruction comprised of policies, plans, implementation actions, and designated responsibilities related to expeditious and orderly post-disaster recovery and rebuilding, as well as long-term mitigation.

3-24 Recovery Strategy. A post-disaster strategic program identifying and prioritizing major actions contemplated or under way regarding such essential recovery functions as business resumption, economic reinvestment, industrial recovery, housing replacement, infrastructure restoration, and potential sources of financing to support these functions.

3-25 Hazard Mitigation Plan. A plan, which addresses protection of the community from unreasonable risks, associated with the effects of earthquakes, landslides, flooding, wildland and urban fires, wind, coastal erosion, and other natural and technological disasters. This plan will be incorporated into the Countywide Multi-Hazard Emergency Operations Plan.

3-26 “Stafford Act”. Shall mean the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, as amended).

Section 4. Recovery Organization. There is hereby identified, the Recovery Organization, for the purpose of coordinating county and City actions in planning and implementing disaster recovery and reconstruction activities. The Recovery Organization will be existing Linn County Emergency Management Commission. This Commission is constituted under the provisions of Iowa Code 29C.9 and is comprised of a member of the Board of Supervisors, the Sheriff, and the Mayor of each municipality or their designated representative. The Commission is already charged to oversee multi-hazard emergency planning, response, mitigation and recovery actions.

4-1 Powers and Duties. The Recovery Organization shall have such powers as enable it to carry out the purposes, provisions and procedures of this Chapter, as identified in this chapter.

4-2 Recovery Task Force. The Recovery Organization shall include a Recovery Task Force comprised of the following

The Chair of the Linn County Board of Supervisors shall be Acting Chair. The Acting Chair shall call the initial meeting of the Recovery Task Force. At the initial meeting, the members will elect the Chair and Vice Chair. The other members of the Recovery Task Force will be the Mayors of each affected municipal jurisdiction.

The Vice Chair of the Board of Supervisors, the Mayor Pro-Tempore or City Manager may act in the absence of the Chair of the Board of Supervisors, or Mayor of the affected jurisdiction.

The County and affected City Attorneys who shall be Legal Advisers as requested by their respective elected officials;

Other supporting staff may include the County and affected City Building Officials, County and affected City Engineers, Community Development/Planning Director, Fire Chiefs, Emergency Management Director, General Services Directors, Sheriff, Police Chiefs, Public Works Directors, Utilities Director, together with representatives from such other departments and offices as may be deemed necessary by the Chair for effective operations.

In actions of the Recovery Task Force, each jurisdiction will have one vote.

4-3 Operations and Meetings. The Chair of the Emergency Management Commission shall have responsibility for Recovery Organization operations. When an emergency declaration is not in force, the Recovery Organization shall meet monthly or more frequently, upon call of the Chair of the Emergency Management Commission. After a declaration of an emergency, and for the duration of that declared emergency period, the Recovery Task Force shall meet daily or as frequently as determined by the Task Force Chair.

4-4 Succession. In the absence of the Chair of either the Recovery Organization or Recovery Task Force, the Vice Chair shall serve as Acting Chair of the respective organization and shall be empowered to carry out the duties and responsibilities of the Chair.

4-5 Organization. The Recovery Task Force may create such standing or ad hoc committees as determined necessary by the Chair.

4-6 Relation to Emergency Management Organization. The Recovery Organization shall be the Linn County Emergency Management Commission, which has interrelated functions and

similar membership. The Emergency Management Director should be considered for any staff support as deemed necessary.

Section 5. Recovery Plan. Before a major disaster, the Recovery Organization shall prepare a pre-event plan for post-disaster recovery and reconstruction, referred to as the Recovery Plan, which shall be comprised of pre-event and post-disaster policies, plans, implementation actions, and designated responsibilities related to expeditious and orderly post-disaster recovery, rebuilding, and long-term hazard mitigation.

5-1 Recovery Plan Content. The Recovery Plan shall address policies, implementation actions and designated responsibilities for such subjects as business resumption, damage assessment, demolitions, debris removal and storage, expedited repair permitting, fiscal reserves, hazards evaluation, hazard mitigation, historical buildings, illegal buildings and uses, moratorium procedures, nonconforming buildings and uses, rebuilding plans, redevelopment procedures, relation to emergency response plan and comprehensive general plan, restoration of infrastructure, restoration of standard operating procedures, temporary and replacement housing, and such other subjects as may be appropriate to expeditious and wise recovery.

5-2 Coordination of Recovery Plan with FEMA and Other Agencies. The Recovery Plan shall identify relationships of planned recovery actions with those of state, federal or mutual aid agencies involved in disaster recovery, including but not limited to the Federal Emergency Management Agency (FEMA), the American Red Cross, the Department of Housing and Urban Development (HUD), the Small Business Administration (SBA), the Environmental Protection Administration (EPA), the Department of Transportation (DOT), the U.S. Army Corps of Engineers (COE), the Iowa Emergency Management Division (IEMD) and other entities which may provide assistance in the event of a major disaster. The Recovery Organization shall distribute a draft copy of the plan to such agencies in sufficient time for comment prior to action on the Recovery Plan by the County Board of Supervisors and the respective City Councils.

5-3 Recovery Plan Adoption. Following formulation, the Recovery Plan shall be submitted by the Recovery Organization for review and approval. The Recovery Organization shall hold one or more public hearings to receive comments from the public on the Recovery Plan. Following one or more public hearings, the Recovery Organization may adopt the Recovery Plan by resolution, including any modifications deemed appropriate, or transmit the plan back to the Recovery Plan Development subcommittee for further modification prior to final action.

5-4 Recovery Plan Implementation. The Recovery Task Force shall be responsible for coordinating the implementation of the plan after a major disaster. The coordination of the recovery effort will be the responsibility of the Task Force, while the implementation of the recovery effort shall be the responsibility of the affected jurisdiction. After a declaration of emergency in a major disaster, the Chair of the Recovery Task Force shall report to the Recovery Organization as often as necessary on implementation actions taken in the post-disaster setting, identify policy and procedural issues, and receive direction and authorization to proceed with plan modifications necessitated by specific circumstances.

5-5 Recovery Plan Training and Exercises. The Recovery Organization shall organize and conduct periodic training and exercises annually, or more often as necessary, in order to develop, convey and update the contents of the Recovery Plan. Such training and exercises will be conducted in coordination with similar training and exercises related to the County Multi-Hazard Emergency Operations Plan.

5-6 Recovery Plan Consultation with Citizens. The Recovery Organization shall schedule and conduct community meetings, periodically convene advisory committees comprised of representatives of homeowner, business and community organizations, or implement such other means as to provide information and receive input from members of the public regarding preparation, adoption or amendment of the Recovery Plan.

5-7 Recovery Plan Amendments. During implementation of the Recovery Plan, the Recovery Organization shall address key issues, strategies and information bearing on the orderly maintenance and periodic revision of the plan. In preparing modifications to the plan, the Recovery Organization shall consult with County and City departments, business and community organizations and other government entities to obtain information pertinent to possible Recovery Plan amendments.

5-8 Recovery Plan Coordination with Related Plans. The Recovery Plan shall be prepared in coordination with related elements of the Linn County Multi-Hazard Emergency Operations Plan, or such other plans as may be pertinent. Such related plan elements shall be periodically amended by the Emergency Management Commission to be consistent with key provisions of the Recovery Plan, and vice versa.

Section 6. General Provisions. The following general provisions shall be applicable to implementation of this chapter following a major disaster.

6-1 Powers and Procedures. Following a declaration of local emergency in a major disaster and while such declaration is in force, the Recovery Task Force shall have authority to exercise powers and procedures authorized by this chapter, subject to extension modification or replacement of all or portions of these provisions by separate ordinances adopted by the Board of Supervisors and affected City Councils.

6-2 Post-Disaster Operations. The Recovery Task Force shall coordinate post-disaster recovery and reconstruction operations with the local jurisdictions, which may include but is not limited to the following:

- a. Activate and deploy damage assessment teams to identify damaged structures and to determine further actions that should be taken regarding such structures;
- b. Activate and deploy hazards evaluation teams to locate and determine the severity of natural or technological hazards, which may influence the location, timing and procedures for repair and rebuilding processes;
- c. Maintain liaison with the Linn County Emergency Operations Center (EOC) and other public and private entities, such as, the American Red Cross, and the State Emergency Management Division in providing necessary information on damaged and destroyed buildings or infrastructure, natural and technological hazards, street and utility restoration priorities, temporary housing needs and similar recovery concerns;
- d. Establish “one-stop” field offices located in or near impacted areas, staffed by trained personnel from appropriate departments, to provide information about repair and rebuilding procedures, issue repair and reconstruction permits, and provide

information and support services on such matters as business resumption, industrial recovery, and temporary and permanent housing;

- e. Activate streamlined procedures to expedite repair and rebuilding of properties damaged or destroyed in the disaster;
- f. Recommend to the Board of Supervisors and the affected City Councils and other appropriate entities necessary actions for reconstruction of damaged infrastructure; Prepare plans and proposals for action by the Board of Supervisors and affected City Councils for redevelopment projects, redesign of previously established projects or other appropriate special measures addressing reconstruction of heavily damaged areas;
- g. Formulate proposals for action by The Board of Supervisors and affected City Councils to amend the Linn County Multi-Hazard Emergency Operations Plan and other relevant pre-disaster plans, programs and regulations in response to new needs generated by the disaster;
- h. Such other recovery and reconstruction activities identified in the Recovery Plan or by this chapter, or as deemed by the Recovery Task Force as necessary to public health, safety and well-being.

6-3 Coordination with FEMA and Other Agencies. The Recovery Task Force shall coordinate recovery and reconstruction actions with those of state, federal or mutual aid agencies involved in disaster response and recovery, including but not limited to the Federal Emergency Management Agency (FEMA), the American Red Cross, the Department of House and Urban Development (HUD), the Small Business Administration (SBA), the U.S. Army Corps of Engineers (COE), the State Emergency Management Division and other entities which provide assistance in the event of a major disaster. Intergovernmental coordination tasks may include but are not limited to the following:

- a. Assign trained personnel to provide information and logistical support to the FEMA Disaster Field Office; supply personnel to provide information support for FEMA Disaster Assistance Centers (DACs);
- b. Participate in damage assessment surveys conducted in cooperation with FEMA and other entities; participate in the Multi-Agency Hazard Mitigation Team with FEMA and other entities;
- c. Cooperate in the joint establishment with other agencies of one-stop service centers for issuance of repair and reconstruction permits, business resumption support, counseling regarding temporary and permanent housing, and other information regarding support services available from various governmental and private entities;
- d. Coordinate within City government the preparation and submittal of Disaster Survey Reports (DSRs) to FEMA. Determine whether damaged structures and units are

within floodplains identified on Flood Insurance Rate Map (FIRM) maps and whether substantial damage has occurred.

- e. Implement such other coordination tasks as may be required under the specific circumstances of the disaster.

6-4 Consultation with Residents. The Recovery Task Force shall schedule and conduct community meetings, convene ad hoc advisory committees comprised of representatives of business and community organizations, or implement such other means as to provide information and receive input from members of the public regarding measures undertaken under the authority of this chapter.

Section 7. Temporary Regulations. The Recovery Task Force shall provide consultation on the local authority to administer the provisions of this section temporarily modifying provisions of the County and Municipal Codes dealing with building and occupancy permits, demolition permits, and restrictions on the use, development or occupancy of private property, provided that such action, in the opinion of the Recovery Task Force, is reasonably justifiable for protection of life and property, mitigation of hazardous conditions, avoidance of undue displacement of households or businesses, or prompt restoration of public infrastructure. This consultation or coordination is to reduce conflicting guidance from multiple jurisdictions.

7-1 Duration. The provisions of this section shall be in effect for a period of six months from the date of a local emergency declaration following a major disaster or until termination of the local emergency declaration, whichever occurs earlier, or until these provisions are extended, modified, replaced by new provisions, or terminated, in whole or in part, by action of the Board of Supervisors and affected City Councils through separate ordinances.

7-2 Damage Assessment. The Recovery Task Force shall coordinate damage assessment teams having authority to conduct field surveys of damaged structures and post placards designating the condition of such structures as follows:

- a. **Inspected—Lawful Occupancy Permitted (GREEN TAG).** Is to be posted on any building in which no apparent structural hazard has been found. This does not mean there are not other forms of damage, which may temporarily affect occupancy.
- b. **Restricted (YELLOW TAG).** Is to be posted on any building in which damage has resulted in some form of restriction to continued occupancy. The individual posting this placard shall note in general terms the type of damage encountered and shall clearly and concisely note the restrictions on continued occupancy.
- c. **Unsafe—Do not Enter or Occupy (RED TAG).** Is to be posted on any building that has been damaged to the extent that continued occupancy poses a threat to life safety. Buildings posted with this placard shall not be entered under any circumstances except as authorized in writing by the department that posted the building or authorized members of damage assessment teams. The individual posting this placard shall note in general terms the type of damage encountered. This placard is not to be considered a demolition order.

- d. **Substantial Damage—(BLUE TAG).** Is a supplemental placard, usually issued by the jurisdiction Flood Plain Manager for flood related damages.
- e. The chapter and section number, the name of the department, its address, and phone number shall be permanently affixed to each placard.
- f. Once a placard has been attached to a building, it shall not be removed, altered or covered until done so by an authorized representative of the department or upon written notification from the department. Failure to comply with this prohibition will be considered a misdemeanor punishable by a \$500 fine.

7-3 Development Moratorium. The Recovery Task Force shall coordinate the affected jurisdictions having the authority to establish a moratorium on the issuance of building permits, approval of land use applications or other permits and entitlements related to the use, development and occupancy of private property authorized under other chapters and sections of the County and Municipal Codes and related ordinances, provided that, in the opinion of the Recovery Task Force, such action is reasonably justifiable for protection of life and property and subject to the following:

- a. **Posting**—Notice of the moratorium shall be posted in a public place and shall clearly identify the boundaries of the area in which a moratorium is in effect as well as the exact nature of the development permits or entitlements which are temporarily held in abeyance;
- b. **Duration**—The moratorium shall be in effect subject to review by the Board of Supervisors and the affected City Councils at the earliest possible time, but for no longer than 90 days, at which time the Council shall take action to extend, modify or terminate such moratorium by separate ordinance.

7-4 Debris Clearance. The Recovery Task Force shall coordinate with the jurisdictions having the authority to remove from public rights-of-way debris and rubble, trees, damaged or destroyed cars, trailers, equipment, and other private property, without notice to owners, provided that in the opinion of the Task Force such action is reasonably justifiable for protection of life and property, provision of emergency evacuation, assurance of firefighting or ambulance access, mitigation of otherwise hazardous conditions, or restoration of public infrastructure. This action is to facilitate a coordinated course of action that will meet the immediate needs of the community and to address resource allocation to accomplish the task in the most efficient manner.

7-5 One-Stop Center for Permit Expediting. The Recovery Task Force shall coordinate the establishment of one-stop centers, staffed by representatives of pertinent departments, for the purpose of establishing and implementing streamlined permit processing to expedite repair and reconstruction of buildings, and to provide information support for provision of temporary housing and encouragement of business resumption and industrial recovery. The Recovery Task Force shall coordinate such centers and procedures in coordination with the other governmental entities, which may provide services and support, such as FEMA, SBA, HUD, COE or the State Emergency Management Division.

7-6 Temporary Use Permits. The Recovery Task Force shall coordinate with the jurisdictions having the authority to issue permits in any zone for the temporary use of property, which will aid in the immediate restoration of an area adversely impacted by a major disaster, subject to the following provisions:

- a. **Critical Response Facilities.** Any police, fire, emergency medical or emergency communications facility which will aid in the immediate restoration of the area may be permitted in any zone for the duration of the declared emergency.
- b. **Other Temporary Uses.** Temporary use permits may be issued in any zone, with conditions, as necessary, provided written findings are made establishing a factual basis that the proposed temporary use:
 - 1) will not be detrimental to the immediate neighborhood;
 - 2) will not adversely affect the Comprehensive General Plan or any applicable specific plan; and
 - 3) will contribute in a positive fashion to the reconstruction and recovery of areas adversely impacted by the disaster.

Temporary use permits may be issued for a period of one year following the declaration of local emergency and may be extended for an additional year, to a maximum of two years from the declaration of emergency, provided such findings are determined to be still applicable by the end of the first year. If, during the first or the second year, substantial evidence contradicting one or more of the required findings comes to the attention of the Recovery Task Force, then the temporary use permit shall be revoked.

7-7 Temporary Repair Permits. Following a disaster, temporary emergency repairs to secure structures and property damaged in the disaster against further damage or to protect adjoining structures of property may be made without fee or permit where such repairs are not already exempt under other chapters of the County and Municipal Codes. The building official must be notified of such repairs within ten working days, and regular permits with fees may then be required.

7-8 Deferral of Fees for Reconstruction Permits. Except for temporary repairs issued under provisions of this chapter, all other repairs, restoration and reconstruction of buildings damaged or destroyed in the disaster shall be approved through permit under the provisions of other chapters of this Code. Fees for such repair and reconstruction permits may be deferred until issuance of certificates of occupancy.

7-9 Nonconforming Buildings and Uses. Buildings damaged or destroyed in the disaster which are legally nonconforming as to use, yards, height, number of stories, lot area, floor area, residential density, parking or other provisions of the zoning ordinance may only be repaired, reconstructed, or replaced in conformance with adopted building or zoning regulations.

Section 8. Demolition of Damaged Buildings. The Recovery Task Force shall coordinate with the jurisdictions having authority to order the condemnation and demolition of historic buildings and structures damaged in the disaster under the standard provisions of the County and Municipal Codes.

Section 9. Temporary and Permanent Housing. The Recovery Task Force shall assign staff to work with FEMA, SBA, HUD, COE, the State Emergency Management Division and other appropriate governmental and private entities to identify special programs by which provisions can be made for temporary or permanent replacement housing which will help avoid undue displacement of people and businesses. Such programs may include deployment of mobile homes and mobile home parks under the temporary use permit procedures provided in Section 7 of this chapter, use of SBA loans and available Section 8 and Community Development Block Grant funds to offset repair and replacement housing costs, and other initiatives appropriate to the conditions found after a major disaster.

Section 10. Hazard Mitigation Program. Prior to a major disaster, the Emergency Management Commission/Recovery Organization shall establish a comprehensive hazard mitigation program, which includes both long-term and short-term components:

10-1 Hazard Mitigation Plan. The long-term component shall be prepared and adopted by resolution of the Board of Supervisors and the respective City Councils as the Hazard Mitigation of the County wide Multi-hazard Plan for the purpose of enhancing long-term mitigation against future disasters. The hazard mitigation plan shall identify and map the presence, location, extent and severity of natural, man-made, or civil hazards, such as:

- a. severe flooding;
- b. wildland and urban fires;
- c. seismic hazards such as ground shaking and deformation, fault rupture, liquefaction, and dam failure;
- d. slope instability, mudslides, landslides and subsidence;
- e. tornadoes and other high winds;
- f. technological hazards, such as oil spills, natural gas leakage and fires, hazardous and toxic materials contamination, nuclear power plant and radiological accidents, other industrial accidents, and ground, air, and rail transportation accidents;
- g. civil incidents such as riots, terrorist actions, and crowd control issues.
- h. The safety element shall determine and assess the community's vulnerability to such known hazards and shall propose measures to be taken both before and after a major disaster to mitigate such hazards.

10-2 Short-Term Action Program. A short-term hazard mitigation program shall be included in the Recovery Plan. It shall be comprised of hazard mitigation program elements of highest priority for action, including preparation and adoption of separate ordinances dealing with specific hazard mitigation and abatement measures, as necessary. Such ordinances may require special site planning, land use and development restrictions or structural measures in areas

affected by flooding, urban/wildland fire, wind, seismic or other natural hazards, or remediation of known technological hazards such as toxic contamination.

10-3 Post-Disaster Actions. Following a major disaster, the Recovery Task Force shall participate in the Multi-Agency Hazard Mitigation Team with FEMA and other entities, as called for in Section 409 of the Stafford Act and related federal regulations. AS appropriate, the Recovery Task Force may recommend to the Board of Supervisors and the affected City Councils that the County and affected Cities participate in the Hazard Mitigation Grant Program, authorized in Section 404 of the Stafford Act in order to partially offset costs of recommended hazard mitigation measures.

10-4 New Information. As new information is obtained regarding the presence, location, extent, and severity of natural or technological hazards, or regarding new mitigation techniques, such information shall be made available to the public, and shall be incorporated as soon as practical possible within the Linn County Multi-Hazard Emergency Operations Plan and Recovery Plan through amendment.

Section 11. Recovery and Reconstruction Strategy. At the earliest practicable time following the declaration of local emergency in a major disaster, the Recovery Task Force shall prepare a strategic program for recovery and reconstruction.

11-1 Functions. To be known as the Recovery Strategy, the proposed strategic program shall identify and prioritize major actions contemplated or under way regarding such essential functions as business resumption, economic reinvestment, industrial recovery, housing replacement, infrastructure restoration, and potential sources of financing to support these functions.

11-2 Review. The Recovery Strategy shall be forwarded to the Board of Supervisors and the affected City Council for review and approval following consultation with FEMA, other governmental agencies, and business and citizen representatives. The Recovery Strategy shall provide detailed information regarding proposed and ongoing implementation of initiatives necessary to the expeditious fulfillment of critical priorities and will identify amendment of any other plans, codes of ordinances that might otherwise contradict or otherwise block strategic action. The Recovery Task Force shall periodically report to the Board of Supervisors and the affected City Councils regarding progress toward implementation of the Recovery Strategy, together with any adjustments which may be called for by changing circumstances and conditions.

Section 12. Severability. If any provision of this chapter is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which can be implemented without the invalid provision, and, to this end, the provisions of this ordinance are declared to be severable.