

CHAPTER 17
EMERGENCY PREPAREDNESS
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CHAPTER 17
EMERGENCY PREPARDNESS

17.005. Definitions

In the construction of this chapter and of all other ordinances of the city, the following definitions and rules of construction shall be observed, unless it shall be otherwise expressly provided in any section or ordinance, or unless inconsistent with the manifest intent of the Board of Aldermen, or unless the context clearly requires otherwise:

Emergency: Any state of emergency declared by proclamation of the governor, or by resolution of the legislature under Sections 44.010 to 44.130 of the Revised Statutes of Missouri, upon the occurrence of an attack upon the United States, or when an attack is anticipated in the immediate future, or upon the actual occurrence of a natural disaster of major proportions within this state when the safety and welfare of the inhabitants of this state are jeopardized.

Emergency preparedness functions: Those functions required to prepare for and carry out actions to prevent, minimize and repair injury and damage due to disasters, to include emergency management of resources and administration of such economic controls as may be needed to provide for the welfare of the people, either on order of the federal government, or in the event the federal government is incapable of administering such control. (State law reference-44.010 RSMo.)

17.010. Created, Coordinator

There is hereby created within the executive branch of the city government a local organization for disaster planning defense agency, and a coordinator of such organization, hereinafter called the coordinator, who shall be the head thereof. The coordinator shall be appointed by the mayor, after receiving the recommendations of the city administrator, with the advice and consent of the Board of Aldermen. He shall devote such time to the duties of his office as may be prescribed by the mayor. He shall hold office at the pleasure of the mayor and shall receive such salary as may be prescribed by the Mayor and approved by the Board of Aldermen. The coordinator, subject to the direction and control of the Mayor, shall be the executive head of such organization and shall be responsible to the Mayor for carrying out the program of emergency preparedness activities of the city. He shall coordinate the activities of all organizations for disaster planning within the city, and shall maintain liaison with and cooperate with disaster planning agencies and organizations of the state and of the federal government, and shall have such additional authority, duties and responsibilities authorized by this article as may be prescribed by the Mayor. (State law reference-44.080. RSMo.)

17.015. Oath of members

Every person appointed to serve in any capacity in the city emergency preparedness agency shall, before entering upon his duties, subscribe to the following oath, which shall be filed with the coordinator:

“I _____, do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Missouri, and the territory, institutions and facilities thereof, both public and private, against all enemies, foreign or domestic; that I take this obligation freely, without any mental reservations or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I, nor have I been, a member of any political party or organization that advocates the overthrow of the government of the United States and of this state by force or violence, and that during such time as I am affiliated with the City of Ashland disaster planning organization, I will not advocate, nor become a member of any political party or organization that does advocate the overthrow of the government of the United States or of this state by force or violence.” (State law reference-44.115. RSMo.)

17.020. Office Space

The mayor is authorized to designate space in any municipally owned or leased building for the office of the local organization for disaster planning.

17.025. Advisory committees

The mayor may create, establish and appoint such voluntary disaster planning advisory committee as may be responsible or advantageous in the evaluation of technical professional or other information which may affect the work of the local organization for disaster planning and which may provide advisory assistance on any matters of civil defense.

17.030. Assistance from city employees

All agencies, departments, officials and employees of the city shall give the coordinator such assistance, aid and help in the preparation and carrying out of an emergency preparedness plan as may be required by the coordinator. If called upon to do so, they shall prepare written plans, as prescribed by the coordinator, and thereafter train and equip themselves and their departments or agencies to carry out all missions or functions assigned to them by the coordinator. In performing their duties under any plan of emergency preparedness, all agencies, departments, officials and employees of the city are hereby directed to use all services, equipment, supplies and facilities of their departments in any practical manner to make the plan of emergency preparedness most functional.

17.035. Mutual aid agreements

Upon the recommendation of the coordinator and with the approval of the governor of the state the Mayor may enter into any mutual aid agreements with other public or private agencies for the exchange of reciprocal emergency aid. Such mutual aid agreements shall be consistent with the state disaster plan and program. In time of emergency, the emergency preparedness agency of the city shall abide by such agreements and render such assistance or aid as may be provided therein to any other public or private agency. The coordinator may assist in the negotiation of mutual aid agreements with other public and private agencies. (State law reference-44.090 RSMo.)

17.040. Cooperation with state government

The local disaster planning organization of this city is directed to cooperate with and extend such aid and services to the state emergency management agency of the state or the Governor of the state as it may be requested to provide. (State law reference-44.110. RSMo.)

17.045. Acceptance of federal or state assistance

Whenever the federal government or the state, or any officers or agencies thereof, offer to the city any services, equipment, supplies, materials or funds by way of gift, grant or loan for the purpose of emergency preparedness, the Mayor may accept such offer and authorize the coordinator to receive them on behalf of the city subject to the terms of the offer.

17.050. Statutory procedures suspended in event of emergency

In the event of an emergency, the coordinator is authorized to procure all services, supplies, equipment or materials necessary to continue the effective operation of the emergency preparedness plan without regard to normal statutory procedures or formalities normally prescribed by law pertaining to municipal contracts or obligations; provided, that if the city council is meeting at the time, the coordinator shall act pursuant to the orders and directions imposed on that body. In the event of an emergency, the Mayor, by proclamation, may waive any time consuming formalities or procedures required by statute or by the provisions of this Code or other ordinances pertaining to the advertisement of bids for the execution of contracts and for the performance of public work contracts.