

ORDINANCE NO. 310-91

BY THE CITY COUNCIL OF WILLOW PARK, IN PARKER COUNTY, TEXAS ESTABLISHING A PROGRAM OF COMPREHENSIVE EMERGENCY MANAGEMENT WHICH INCLUDES THE MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY PHASES OF EMERGENCY MANAGEMENT, ACKNOWLEDGING THE OFFICE OF EMERGENCY MANAGEMENT DIRECTOR, AUTHORIZING THE APPOINTMENT OF AN EMERGENCY MANAGEMENT COORDINATOR; AND PROVIDING THE DUTIES AND RESPONSIBILITIES OF THOSE OFFICES; IDENTIFYING AN OPERATIONAL ORGANIZATION; GRANTING NECESSARY POWERS TO COPE WITH ALL PHASES OF EMERGENCY MANAGEMENT WHICH THREATEN LIFE AND PROPERTY IN THE COUNTY OF PARKER; AUTHORIZING COOPERATIVE AND MUTUAL AID AGREEMENTS FOR RELIEF WORK BETWEEN THIS AND OTHER COUNTIES, OR CITIES FOR RELATED PURPOSES; PROHIBITING UNAUTHORIZED WARNING AND ALL-CLEAR SIGNALS.

**WHEREAS**, the **City of Willow Park** in the County of Parker finds that the identification of potential hazards and the prevention or mitigation of their effects must be an ongoing concern of the County if the lives and property of the populace are to be protected; and

**WHEREAS**, the **City of Willow Park** hereby declares that the preparation of a plan, and the means for its implementation, for the protection of lives and property in the County of Parker from natural or man-caused disasters or threat thereof is immediately essential; and

**WHEREAS**, the **City of Willow Park** further find that in times of disaster which may imperil the safety of the inhabitants of the city, or their property, it becomes necessary to effectuate and place into operation the preconceived plans and preparations with a minimum of delay; and

**WHEREAS**, the **City of Willow Park** finds, therefore, that the preparation, adoption and implementation of such plans are now imperative;

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, ORDINANCE 310-91 EMERGENCY MANAGEMENT, AS FOLLOWS:**

(a) The City Code of Ordinances shall be amended by adding a new ordinance 310- 91 to read as follows: There exists the office of Emergency Management Director of the City of Willow Park, which shall be held by the Mayor in accordance with state law.

(1) An Emergency Management Coordinator may be by appointed serve at the pleasure of the Director;

(2) The Director shall be responsible for conducting a program of comprehensive emergency management within the city and for carrying out the duties and responsibilities set forth in this article. He may delegate authority for execution of these duties to the Coordinator, but ultimate responsibility for such execution shall remain with the Director.

(b) The powers and duties of the director shall include an on-going survey of actual or potential major hazards which threaten life and property within the City; and an ongoing program of identifying and requiring or recommending the implementation of measures which would tend

to prevent the occurrence or reduce the impact of such hazards if a disaster did occur. As a part of his responsibility in hazard mitigation, the Director shall supervise the development of an emergency management plan for Parker County, and shall recommend that plan for adoption by the City Council along with any and all mutual aid plans and agreements which are deemed essential for implementation of such emergency management plan. The powers of the Director shall include the authority to declare a state of disaster, but such action may be subject to confirmation by the city council at its next meeting.

(c) The Mayor is hereby authorized to join the County Judge of Parker County in formation of an Emergency Management Council for the County of Parker and shall have the authority to cooperate in the preparation of a joint emergency management plan and in the appointment of a joint Emergency Management Coordinator, as well as all powers necessary to participate in a county wide program of emergency management insofar as said program may affect Parker County.

(d) The duties and responsibilities of the Emergency Management Director shall include the following:

(1) The direction and control of the actual disaster operations of the City of Willow Park Emergency Management organization as well as the training of Emergency Management personnel.

(2) The determination of all questions of authority and responsibility that may arise within the Emergency Management organization of the City.

(3) The maintenance of necessary liaison with other county, municipal, district, state, regional, federal, or other Emergency Management organizations

(4) The marshaling, after declaration of a disaster as provided for above, of all necessary personnel equipment or supplies from any department of Willow Park to aid in the carrying out of the provisions of the emergency management plan.

(5) The issuance of all necessary proclamations as to the existence of a disaster and the immediate operational effectiveness of the overall emergency management plan.

(6) The issuance of reasonable rules, regulations or directives which are necessary for the protection of life and property in Willow Park. Such rules and regulations shall be filed in the office of the City Secretary, and shall receive widespread publicity unless publicity would be of aid and comfort to the enemy.

(7) The supervision of the drafting and execution of mutual aid agreements, in cooperation with the representatives of the state and of other local political subdivisions of the state, and the drafting and execution, if deemed desirable, or a coordination of Emergency Management efforts.

(8) The supervision of and final authorization for the procurement of all necessary supplies and equipment, including acceptance of private contributions may be offered for the purpose of improving Emergency Management within the City of Willow Park.

(9) The authorizing of agreements for use of private property for public shelter and other purposes.

(e) The operational emergency management organization of Willow Park shall consist of the officers and employees of the City so designated by the Director in the emergency management plan, as well as organized volunteer groups. The functions and duties of this organization shall be distributed among such officers and employees in accordance with the terms of the emergency management plan. Such plan shall set forth the form of the organization, establish and designate divisions and functions, assign tasks, duties and powers, and designate officers and employees to carry out the provisions of this order. Insofar as possible, the form of organization, titles, and terminology shall conform to the recommendation of the State Division of Emergency Management of the State of Texas and of the Federal Government.

(f) Any unauthorized person who shall operate a siren or other device so as to simulate a warning signal, or the termination of a warning, shall be deemed guilty of a violation of this order and shall be subject to the penalties imposed by this order.

(g) At all times when the orders, rules, and regulations made and promulgated pursuant to this order shall be in effect, they shall supersede and override all existing orders, rules, and regulations insofar as the latter may be inconsistent therewith.

(h) This order shall not be construed so as to conflict with any State or Federal statute or with any military or naval order, rule or regulation.

(i) This order is an exercise by the City of Willow Park, its governmental functions for the protection of the public peace, health and safety and neither the City of Willow Park, the agents and representatives of said City, or any individual, a receiver, firm partnership, corporation, association, or trustee, or any of the agents thereof, in good faith carrying out, complying with or attempting to comply with, any order, rule or regulation promulgated pursuant to the provisions of this order shall be liable for any damage sustained to persons as the result of said activity.

Any person owning or controlling real estate or other premises who voluntarily and without compensation grants to the City of Willow Park a license of privilege, or permits the city to inspect, designate and use the whole or any part or parts of such estate or premises for the purpose of sheltering persons during an actual, impending or practice enemy attack shall, together with his successors in interest, if any, not be civilly liable for the death of, or injury to, any person on or about such real estate or premises under such license, privilege or other permission or for loss of, or damage to, the property of such person.

(j) No person shall have the right to expect any public funds of the City in carrying out any Emergency Management activity authorized by this order without prior approval by the city council, nor shall any person have any right to bind the city by contract, agreement or otherwise without prior and specific approval of the city council.

(k) It shall be unlawful for any person willfully to obstruct, hinder, or delay any member of the Emergency Management organization in the enforcement of any rule or regulation issued pursuant to this order, or to do any acts forbidden by any rule or regulation issued pursuant to the

authority contained to this order. It shall likewise be unlawful for any person to wear, carry or display any emblem or insignia or any other means of identification as a member of the Emergency Management organization of the City of Willow Park or the County of Parker, unless authority to do so has been granted to such person by the proper officials.

(l) Each employee or any individual that is assigned a function or responsibility shall solemnly swear or affirm to support and defend the Constitution of the United States, laws of the State of Texas, orders of the County of Parker, and the ordinances of the City of Willow Park.

ADOPTED, ORDERED AND ENTERED OF RECORD this 26th day of December, 1991

Sharon Riley Suarez

Mayor, City of Willow Park

12/31/91

Date

ATTEST: C. Guy Natale

City Administrator

APPROVED: Walter W. Leonard

City Attorney