

BAYVIEW EMERGENCY MANAGEMENT ORDINANCE 2008-06-19A

AN ORDINANCE ESTABLISHING A COMPREHENSIVE EMERGENCY MANAGEMENT PROGRAM; ACKNOWLEDGING THE OFFICE OF EMERGENCY MANAGEMENT DIRECTOR, AUTHORIZING THE APPOINTMENT OF AN EMERGENCY MANAGEMENT COORDINATOR, AND PROVIDING FOR THE DUTIES AND RESPONSIBILITIES OF THOSE OFFICES; IDENTIFYING AN OPERATIONAL ORGANIZATION; GRANTING NECESSARY POWERS TO COPE WITH ALL PHASES OF EMERGENCY MANAGEMENT IN THE TOWN OF BAYVIEW; AUTHORIZING COOPERATIVE AND MUTUAL AID AGREEMENTS FOR RELIEF WORK BETWEEN BAYVIEW AND OTHER CITIES OR COUNTIES; AND, FOR RELATED PURPOSES.

WHEREAS, the Board of Alderpersons of the Town of Bayview finds that the identification of potential hazards and the prevention or mitigation of their effects must be an on-going concern of the Town if the lives and property of the populace are to be protected; and

WHEREAS, the Board of Alderpersons hereby declares that the preparation of a Comprehensive Emergency Management plan, and the means for its implementation, for the protection of lives and property of lives and property in the Town of Bayview from natural or man-caused disasters or threat thereof is immediately essential; and

WHEREAS, the Board of Alderpersons further finds that in times of disasters which may imperil the safety of the inhabitants of the Town, 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 Board of Alderpersons finds, therefore, that the preparation and implementation of such plans are now imperative;

BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE TOWN OF Bayview:

Section 1. ORGANIZATION.

There exists the office of Emergency Management Director of the Town of Bayview, which shall be held by the Mayor in accordance with State law.

- (a) An Emergency Management Coordinator may be appointed by and serve at the pleasure of the Director;**
- (b) The Director shall be responsible for a program of comprehensive emergency management within the Town and for carrying out the duties and responsibilities set forth in this ordinance. He/she may delegate**

authority for emergency management activities and operations; however, the responsibility for execution shall remain with the Director.

- (c) The operational Emergency Management organization of the Town of Bayview shall consist of the officers and employees of the Town so designated by the Director in the emergency management plan, as well as organized volunteer groups, and individual resident volunteers. 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 and this ordinance.

Section 2. EMERGENCY MANAGEMENT DIRECTOR – POWERS AND DUTIES

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

- (a) Surveying actual or potential hazards that threaten life and property within the Town and 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.
- (b) Supervision of the development and approval of an emergency management plan for the Town of Bayview and recommending for adoption by the Board of Alderpersons all mutual aid arrangements deemed necessary for the implementation of such plan.
- (c) Authority to declare a local state of disaster. The declaration may not be continued or renewed for a period in excess of 7 days except by or with the consent of the Board of Alderpersons. Any order or proclamation declaring, continuing, or terminating a local state of disaster shall be given prompt and general public dissemination within the Town and shall be filed promptly with the Town Secretary.
- (d) Issuance of necessary proclamations, regulations, or directives that are necessary for carrying out the purposes of this ordinance. Such proclamations, regulations, or directives shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless circumstances attendant on the disaster prevent or impede, promptly filed with the Town Secretary.
- (e) Direction and control of the operations of the Bayview Emergency Management organization as well as the training of Emergency Management personnel.

- (f) Determination of all questions of authority and responsibility that may arise within the Emergency Management organization of the Town.
- (g) Maintenance of liaison with other municipal, County, District, State, regional or federal Emergency Management organizations.
- (h) Marshaling of all necessary personnel, equipment, or supplies from any department of the Town to aid in the carrying out of the provisions of the emergency management plan.
- (i) 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, of an agreement with the county in which said Town is located and with other municipalities within the County, for the County-wide coordination of Emergency Management efforts.
- (j) Supervision of, and final authorization for the procurement of all necessary supplies and equipment, including acceptance of private contributions, which may be offered for the purpose of improving Emergency Management within the Town.
- (k) Authorizing of agreements, after approval by the Town Attorney, for use of private property for public shelter and other purposes.
- (l) Surveying the availability of existing personnel, equipment, supplies, and services that could be used during a disaster, as provided for herein.
- (m) Other requirements as specified in the Texas Disaster Act (Chapter 418 of the Government Code).
- (n) Designating at his/her discretion individual resident volunteers to serve in the positions of Emergency Management Coordinator and Assistant Emergency Management Coordinator and defining the scope of those individuals' responsibilities and authorities within the context of state law and the Emergency Management Plan. Such designations must be recorded with the Town Secretary and the appropriate State and County officials.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS (TOWN COUNCIL) OF THE TOWN OF BAYVIEW, TEXAS.

PASSED, ADOPTED, AND APPROVED ON THE 19 DAY OF JUN 2008.

TOWN OF BAYVIEW, TX

ATTEST


MARC SUNDQUIST, MAYOR


JANIS SILVERI, TOWN SECRETARY