

AN ORDINANCE ESTABLISHING AN EMERGENCY MANAGEMENT AGENCY WITHIN THE CITY OF PORTAGE DES SIOUX TO PROMOTE THE PEACE, HEALTH, SAFETY AND GENERAL WELFARE OF THE INHABITANTS OF THE CITY OF PORTAGE DES SIOUX, MISSOURI AND THE GENERAL PUBLIC AT LARGE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PORTAGE DES SIOUX, MISSOURI AS FOLLOWS:

SECTION I

There is hereby created within and for the City of Portage Des Sioux, Missouri, an emergency management organization to be known as the Portage Emergency Management Agency (PEMA) which is responsible for the preparation and implementation of emergency functions required to prevent injury and minimize and repair damage due to disasters, to include emergency management resources and administration of such economic controls as may be needed to provide for the welfare of the people and emergency activities (excluding functions for which military forces are primarily responsible) in accordance with Chapter 44, Revised Statutes of Missouri, 1978, and supplements thereto, and the Missouri Emergency Operations Plan adopted thereunder.

SECTION II

1. This agency shall consist of a Director and other members appointed by the Mayor and approved by the Board of Aldermen to conform to the State organization and procedures for the conduct of emergency operations as outlined in the Missouri Emergency Operation Plan.
2. At no time, shall this organization participate in any form of political activity, nor shall it be used directly or indirectly for political purposes.

SECTION III

The organization shall perform emergency management functions within the city limits of Portage Des Sioux, Missouri, and may conduct these functions outside the city limits as directed by the Governor during the time of emergency pursuant to the provisions of Chapter 44, Revised Statutes of Missouri, 1978, and supplements thereto.

SECTION IV

1. The Director will be appointed by the Mayor and Board of Aldermen and shall serve at the pleasure of the appointive authority.
2. The Director shall have direct responsibility for the organization, administration and operations of local emergency management activities.
3. The Director shall be responsible for maintaining records and accounting for the use and disposal of all items of equipment placed under the jurisdiction of the Emergency Management Agency.

SECTION V

The Mayor of Portage Des Sioux, Missouri, in accordance with Chapter 44 Revised Statutes of Missouri, 1978, and supplements thereto, may:

1. Appropriate and expend funds, make contracts, obtain and distribute equipment, materials, and supplies for civil defense purposes; provide for the health and safety of persons, including emergency assistance to victims of any enemy attack; the safety of property; and direct and coordinate the development of disaster plans and programs in accordance with the policies and plans of the federal and state disaster and emergency planning.
2. Appoint, provide, or remove rescue teams, auxiliary fire and police personnel and other emergency operations teams, units or personnel who may serve without compensation;
3. In the event of enemy attack, waive the provisions of statutes requiring advertisements for bids for the performance of public works or entering into contracts;
4. With the approval of the Governor and consistent with the Missouri Emergency Operations Plan, enter into mutual aid agreements with other public and private agencies within and without the state for reciprocal emergency aid;
5. Accept services, materials, equipment, supplies or funds granted or loaned by the federal government for disaster planning and operations purposes.

SECTION VI

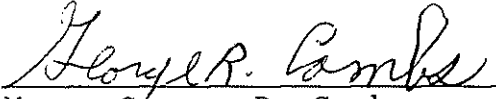
No person shall be employed or associated in any capacity in any organization established under this act who advocates or has advocated a change by force or violence in the constitutional form of the government of the United States or in the State or the overthrow of any government in the United States by force or violence, or has been convicted of or is under indictment or information charging any subversive act against the United States. Each person who is appointed to serve in an organization shall, before entering upon his duties, take an oath, in writing, before a person authorized to administer oaths in this State, which oath shall be substantially as follows:

"I,....., do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Missouri, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation 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 that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of the State by force or violence; and that during such a time as I am a member of the Portage Emergency Management Agency, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence."

SECTION VII

This ordinance shall take effect and be in full force from and after its passage and approval by the Mayor and the Board of Aldermen.

Enacted: April 18, 1994


Mayor George R. Combs

Approved by the mayor of the City of Portage Des Sioux, Missouri, this 18th day of April, 1994.

Attest: 
City Clerk - Suzie A. Cissell

City Seal