


NOV - 7 2016

**CITY OF COLUMBIA
ORDINANCE NO. 3292**

**AN ORDINANCE AMENDING SECTION 2.62 OF
THE CITY OF COLUMBIA MUNICIPAL CODE REGARDING THE
EMERGENCY MANAGEMENT AGENCY**


City Clerk

WHEREAS, the City of Columbia ("City"), Monroe and St. Clair Counties, Illinois is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

WHEREAS, the City Council of the City of Columbia ("City Council") previously adopted Section 2.62 of the City of Columbia Municipal Code ("City Code") regarding the Emergency Management Agency; and

WHEREAS, the City now desires to amend Section 2.62 of the City Code to reflect updated terminology used at the State and local levels.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. That the preceding recitations in the upper part of this Ordinance are realleged, restated and adopted as paragraph one ("1") of this Ordinance.

Section 2. That Section 2.62 of the City Code shall be amended to read as follows:

"Chapter 2.62.010 Established.

There is created the city EMA to prevent, minimize, repair and alleviate injury or damage resulting from disaster caused by enemy attack, sabotage or other hostile action, or from natural or manmade disaster, in accordance with The Illinois Emergency Management Agency Act of 1988, hereafter referred to as the State EMA Act of 1988.

This EMA shall consist of the director and such additional members as may be selected by the director.

Chapter 2.62.020 Director.

The director of the city EMA shall be appointed by the mayor with the consent of the city council and shall serve until removed by same.

The director shall have direct responsibility for the organization, administration, training and operation of the EMA, subject to the direction and control of the mayor as provided by statute.

In the event of the absence, resignation, death or inability to serve as the director, the mayor, or any person designated by him, shall be and act as director until a new appointment is made as provided in this code.

Chapter 2.62.030 Functions.

The city director shall perform such EMA functions within the city as shall be prescribed in and by the State EMA plan and program prepared by the Governor, and such orders, rules and regulations as may be promulgated by the Governor, and in addition shall perform such duties outside the corporate limits as may be required pursuant to any Mutual Aid Agreement with any other political subdivision, municipality, or quasi-municipality entered into as provided by the State EMA Act of 1988.

Chapter 2.62.040 Mobile support team.

All or any members of the city EMA organization may be designated as members of a Mobile Support Team created by the Director of the State EMA as provided by law.

The leader of such Mobile Support Team shall be designated by the director of the city EMA organization.

Any member of a Mobile Support Team who is a city employee or officer while serving on call to duty by the Governor, or the State Director, shall receive the compensation and have the powers, duties and immunities incident to such employment or office. Any such member who is not a paid officer or employee of the city, while so serving, shall receive from the state, reasonable compensation as provided by law.

Chapter 2.62.050 Agreements with other political subdivisions.

The director of EMA may negotiate mutual aid agreements with other cities or political subdivisions of the state, but no such agreement shall be effective until it has been approved by the city council and the State Director of EMA.

Chapter 2.62.060 Emergency action.

If the governor proclaims that a disaster emergency exists in the event of actual enemy attack upon the United States, or the occurrence within the state of Illinois of a major disaster resulting from enemy sabotage or other hostile action, or from manmade or natural disaster, it shall be the duty of the city EMA to cooperate fully with the State EMA and with the Governor in the exercise of emergency powers as provided by law.

Chapter 2.62.070 Compensation.

Members of the EMA who are paid employees or officers of the city, if called for training by the State Director of EMA, shall receive for the time spent in such training the same rate of pay as is attached to the position held; members who are not such city employees or officers shall receive for such training time such compensation as may be established by the city council.

Chapter 2.62.080 Reimbursement by state.

The State Treasurer may receive and allocate to the appropriate fund, any reimbursement by the state to the city for expenses incident to training members of the ESDA as prescribed by the State Director of EMA, compensation for services and expenses of members of a Mobile Support Team while serving outside the city in response to a call by the Governor or State Director of EMA, as provided by law, and any other reimbursement made by the state incident to ESDA activities as provided by law.

Chapter 2.62.090 Purchases and expenditures.

The city council may, on recommendation of the city director of EMA, authorize any purchase of contracts necessary to place the city in a position to combat effectively a disaster resulting from the explosion of any nuclear or other bomb or missile, and to protect the public health and safety, protect property, and provide emergency assistance to victims in the case of such disaster, or from manmade or natural disaster.

In the event of enemy caused or other disaster, the city director of EMA is authorized on behalf of the city to procure such services, supplies, equipment or material as may be necessary for such purposes, in view of the exigency without regard to the statutory procedures or formalities normally prescribed by law pertaining to city contracts or obligations, as authorized by the State EMA Act of 1988; provided, that if the city council meets at such time, the city director of EMA shall act subject to the directions and restrictions imposed by that body.

Chapter 2.62.100 Oath of office.

Every person appointed to serve in any capacity in the city EMA organization 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 Illinois, and the territory, institutions, and facilities thereof, both public and private, against all enemies, foreign and domestic; 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 (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 or of this State by force or violence; and that during such time as I am affiliated with the City of Columbia, Illinois EMA organization, 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.

Chapter 2.62.110 Office.

The mayor is authorized to designate space in a city building or elsewhere as may be provided for by the city council for the City EMA as its office.”

Section 3. This Ordinance shall take full force and effect after passage and approval by the Corporate Authorities.

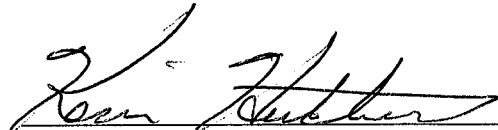
YEAS: Alderman Ebersohl, Agne, Niemietz, Roessler, Huch, Reis and Holtkamp.

NAYS: None.

ABSENT: Alderman Martens.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 7th day of November, 2016.



KEVIN B. HUTCHINSON

Mayor

City of Columbia

ATTEST:



WESLEY J. HOEFFKEN

City Clerk

City of Columbia