

~~SUGGESTED~~ CITY/VILLAGE ORDINANCE No. 667

RELATING TO EMERGENCY SERVICES AND
DISASTER AGENCIES (ESDA)

PREPARED BY
STATE EMERGENCY SERVICES AND DISASTER AGENCY

An Ordinance Relating to City/Village ESDA

BE IT ORDAINED by the (Mayor) (~~Village President~~) of the (City)
(~~Village~~) of Nokomis that:

Section 1.

(Establishment) There is hereby created Nokomis
ESDA 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
man-made disaster, in accordance with "The Illinois
Emergency Services and Disaster Act of 1975".

This ESDA shall consists of the Deputy County Coordinator
for Nokomis and such additional members as may
be selected by him.

Section 2.

(Deputy County Coordinator) The Deputy County Coordinato
for Nokomis shall be appointed by the (Mayor)
(~~Village President~~) and shall serve until removed by
same.

The Deputy County Coordinator for Nokomis shall
have direct responsibility for the organization,
administration, training, and operation of the ESDA,
subject to the direction and control of the (Mayor)
(~~Village President~~) as provided by statute.

In the event of the absence, resignation, death or
inability to serve as the Deputy County Coordinator for
Nokomis, the (Mayor) (~~Village President~~) or any
person designated by him, shall be and act as Deputy
County Coordinator for Nokomis until a new
appointment is made as provided in this ordinance.

Section 3.

(Functions) The (City) (~~Village~~) ESDA shall perform such
ESDA functions within the (City) (~~Village~~) as shall be
prescribed in and by the state ESDA 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 quasimunicipality entered into as provided the "The State ESDA Act of 1975".

Section 4.

(Service as Mobile Support Team) All or any members of the (City) (~~Village~~) ESDA organization may be designated as members of a Mobile Support Team created by the director of the State ESDA as provided by law.

The leader of such Mobile Support Team shall be designated by the Deputy County Coordinator of the (City) (~~Village~~) ESDA organization.

Any member of a Mobile Support Team who is a (City) (~~Village~~) 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, rights, and immunities incident to such employment or office. Any such member who is not a paid officer or employee of the (City) (~~Village~~) while so serving, shall receive from the state reasonable compensation as provided by law.

Section 5.

(Agreements with other political subdivisions) The Deputy County Coordinator for Nokomis of ESDA 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 (Mayor) (~~Village President~~) and by the state director of ESDA.

Section 6.

(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 man-made or natural disaster, it shall be the duty of the (City) (~~Village~~) ESDA to cooperate fully with the State ESDA and with the Governor in the exercise of emergency powers as provided by law.

Section 7.

(Compensation) Members of the ESDA who are paid employees or officers of the (City) (~~Village~~), if called for training by the state director of ESDA, 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) (~~Village~~) employees or officers shall receive for such training time such compensation as may be established by the (Mayor) (~~Village President~~).

Section 8.

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

Section 9.

(Purchases and Expenditures) The (Mayor) (~~Village President~~) may, on recommendation of the Deputy County Coordinator for Nokomis of ESDA, authorize any purchase of contracts necessary to place the (City) (~~Village~~) in a position to combat effectively any 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 man-made or natural disaster.

In the event of enemy caused or other disaster, the Deputy County Coordinator for Nokomis of ESDA is authorized, on behalf of the (City) (~~Village~~), 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) (~~Village~~) contracts or obligations, as authorized by "The State ESDA Act of 1975", provided that if the (Mayor) (~~Village President~~) meets at such time he shall act subject to the directions and restrictions imposed by that body.

Section 10.

(Oath) Every person appointed to serve in any capacity in the (City) (~~Village~~) ESDA organization shall, before entering upon his duties, subscribe to the following oath, which shall be filed with the Deputy County Coordinator for Nokomis :

"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 Nokomis ESDA 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."

Section 11. (Office) The (Mayor) (~~Village President~~) is authorized to designate space in a (City) (~~Village~~) building, or elsewhere, as may be provided for by the (Mayor) (~~Village President~~) for the (City) (~~Village~~) ESDA as its office.

Section 12. (Appropriation - Levy of Taxes) The (Mayor) (~~Village President~~) may make an appropriation for ESDA purposes in the manner provided by law, and may levy in addition for ESDA purposes only, a tax not to exceed five (5) cents per one hundred (100) dollars of the assessed value of all taxable property in addition to all other taxes, as provided by the "The State ESDA Act of 1975"; however, that amount collectable under such levy shall in no event exceed .25 cents per capita.

Section 13. (Definition) E.S.D.A. This abbreviation means unless otherwise defined, "Emergency Services and Disaster Agency.

Section 14. (Equal Employment Opportunity Clause) The (City) (~~Village~~) agrees to the Equal Employment Opportunity Clause required by the Illinois Fair Employment Practices Commission on all public contracts.

Section 15. (Repeal of Nokomis Civil Defense Ordinance) The Nokomis Civil Defense Ordinance No. 556 dated and approved 12/5/66 as amended is repealed.

Section 16.

This ordinance shall be in force from and after its passage and approval, as provided by law.

Passed this 24th day of May, 19 76.

Approved this 24th day of May, 19 76.

Ed Durbin, Mayor ~~Village President~~

Attest: Mary Jean Scheller
Clerk