

Chapter 24 – Civil Defense

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CHAPTER 24

CIVIL DEFENSE

Section 24-1. Establishment of Civil Defense Operations.

There is hereby created within and for the territory of the City of Nixa, a Disaster Planning and Operations organization to be known as the City of Nixa Disaster Planning and Operations office which is responsible for the preparation and implementation of emergency functions required to prevent, minimize and repair injury and damage due to disaster, to include emergency management of 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 the Missouri Civil Defense Act, Chapter 44, Revised Statutes of Missouri, 1986, and the Missouri Disaster Operations Plan adopted thereunder.

Section 24-2. Organization of Disaster Planning and Operations.

This office shall consist of a Coordinator and other members appointed by the Mayor, to conform to the State organization and procedures for the conduct of emergency operations as outlined in the Missouri Disaster Operations Plan.

Section 24-3. Functions of Organization.

The organization shall perform Civil Defense functions within the territorial limits of the City of Nixa, and may conduct these functions outside the territorial limits as directed by the Governor during the time of emergency operations as outlined in the Missouri Disaster Operations Plan.

Section 24-4. Coordinator of Organization.

The coordinator will be appointed by the Mayor and shall serve during the pleasure of the Mayor.

- a. The Coordinator shall be responsible for the organization, administration and operations of local disaster planning and organization.
- b. The coordinator shall be responsible for maintaining records and accounting for the use and disposal of all items of equipment placed under the jurisdiction of the Disaster Planning and Operations Office.

Section 24-5. Executive Officers' Powers and Duties.

The Mayor of the City of Nixa and the Coordinator in accordance with the Missouri Civil Defense Act, Chapter 44, Revised Statutes of Missouri, 1986, may:

- a. Expend funds, make contracts, obtain and distribute equipment, materials, and supplies of Civil Defense purposes, provide for the health and safety of persons, including emergency assistance to victims of an 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;
- b. Appoint, provide, or remove rescue teams, auxiliary fire and police personnel and other emergency operations teams, units or personnel who may serve without compensation.
- c. In the event of enemy attack, waive the provisions of statutes requiring advertisements for bids for the performance of public work or entering into contracts;
- d. With the approval of the Governor and consistent with the Missouri Disaster Operations Plan, enter into mutual-aid agreements with other public and private agencies within and without the State for reciprocal emergency aid;
- e. Accept services, materials, equipment, supplies or funds granted or loaned by the Federal Government for disaster planning and operations purposes.

Section 24-6. Oath of Officers and Employees.

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 this 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 a subversive act against the United States. Each person who is appointed to serve in an organization for Civil Defense 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 (or affirm) 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; and 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 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 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 a time as I am a member of the (name of the disaster or emergency 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 24-7. Office Space for Organization.

The Mayor is authorized to designate space in any City of Nixa owned or leased building for the City of Nixa Disaster Planning and Operations Office.