

ORDINANCE NUMBER 90- 217

**AN ORDINANCE RELATING TO
GIFFORD EMERGENCY SERVICES AND DISASTER AGENCY**

BE IT ORDAINED by the Board of Trustees of the Village of Gifford, Illinois, that:

Section 1: ESTABLISHMENT - There is hereby created the Gifford 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". (Illinois Revised Statutes, Chapter 127, ¶1101 et. seq.)

This ESDA shall consist of the coordinator and such additional members as may be selected by the coordinator.

Section 2: COORDINATOR - The coordinator of the Gifford ESDA shall be appointed by the Village President and shall serve until removed.

The coordinator shall have direct responsibility for the organization, administration, training, and operation of the ESDA, subject to the direction and control of the Village President as provided by statute.

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

Section 3: FUNCTIONS - The Gifford ESDA shall perform such ESDA functions within the 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 Village limits as may be required pursuant to any Mutual Aid agreement

The leader of such Mobile Support Team shall be designated by the coordinator of the village ESDA organization.

Any member of a Mobile Support Team who is a 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 village, while so serving, shall receive from the state reasonable compensation as provided by law.

- Section 5: AGREEMENTS WITH OTHER POLITICAL SUBDIVISIONS -
The Coordinator 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 Village President and the Board of Trustees of the Village of Gifford, Illinois, 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 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 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 village employees or officers shall receive for such training time such compensation as may be established by the Village Board of Trustees of the Village of Gifford, Illinois.

Section 9:

PURCHASES AND EXPENDITURES - The Village President may, on recommendation of the village coordinator of ESDA, authorize any purchase or contracts necessary to place the 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 village coordinator of ESDA is authorized, on behalf of the 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 village contracts or obligations, as authorized by "The State ESDA Act of 1975", provided that if the 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 village ESDA 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

Section 11: OFFICE - The Village President is authorized to designate space in a village building, or elsewhere, as may be provided for by the Village President for the Gifford ESDA as its office.

Section 12: APPROPRIATION - LEVY OF TAXES - The Village Board of Trustees of the Village of Gifford, Illinois, may make an appropriation for ESDA purposes in the manner provided by law.

Section 13: This ordinance shall be in force from and after its passage and approval, as provided by law.

PASSED this 5th day of April, 1990.

Approved this 5th day of April, 1990.

APPROVED: *Terence Blazik*
(Village President)

ATTEST: *Walter E. Osborn*
(Village Clerk)

Deposited and filed with me in my office this 5th day of April, 1990.

Walter E. Osborn
(Village Clerk)