

ORDINANCE NO. 2408

AN ORDINANCE ADOPTING THE CITY OF TERRELL, TEXAS EMERGENCY MANAGEMENT PLAN AND AUTHORIZING THE EMERGENCY MANAGEMENT DIRECTOR (MAYOR), ACCORDING TO TEXAS GOVERNMENT CODE SECTION 418, TO SIGN THE NECESSARY DOCUMENTS AUTHENTICATING THE PLAN PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, local governments are responsible for preparing for a disaster which threatens the public health, safety, and welfare of its residents; and

WHEREAS, in disaster situations, effective leadership, coordination, and unified on-scene command is required to effectively respond to an incident and to insure that adequate resources are applied to all disaster and emergency incident relief efforts; and

WHEREAS, a key component in assuring an effective response is to develop and maintain a comprehensive Emergency Management Plan; and

WHEREAS, the Emergency Management Plan establishes the City's overall command structure for addressing an emergency situation and provides a framework for activation, implementation and maintenance of the Plan; and

WHEREAS, the City Council has determined that maintenance of the City of Terrell Emergency Management Plan is in the best interest of the residents of the City;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS:

SECTION 1. AUTHORIZATION

That the Terrell Emergency Management Plan is hereby adopted and the Mayor, the City's Emergency Management Director according to Texas Government Code Section 418, is authorized to sign and attest to the authentication of said Plan. Said Emergency Management Plan is attached to this ordinance as Exhibit A.

SECTION 2. SEVERABILITY.

In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of law, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid applications shall remain in effect.

SECTION 3. REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the City of Terrell prior to the effective date of this ordinance.

SECTION 4. EFFECTIVE DATE.

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

SECTION 5. LIMITATIONS

This order shall not be construed so as to conflict with any State or Federal statute or with any military or naval order, rule, or regulation.

Approved on first reading on this the 21st day of April, 2009.

Adopted on second reading on this the 5th day of May, 2009.

Hal Richards
Mayor, City of Terrell, Texas

ATTEST:

John Rounsavall, City Secretary

APPROVED AS TO FORM:

Mary Gayle Ramsey, City Attorney