

Chapter 225

EMERGENCY MANAGEMENT

Section 225.010. Establishment.

There is hereby created within and for the City of Diamond an emergency management organization to be known as the Diamond Emergency Management Organization which is responsible for the preparation and implementation of emergency functions required to prevent injury and minimize and repair damage due to disasters, 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 Chapter 44, RSMo., and supplements thereto, and the Missouri Emergency Operations Plan adopted thereunder.

Section 225.020. Organization.

This agency shall consist of a Director and other members appointed by the Diamond Emergency Management Organization to conform to the State organization and procedures for the conduct of emergency operations as outlined in the Missouri Emergency Operations Plan.

Section 225.030. Functions.

The organization shall perform emergency management functions within the City of Diamond and may conduct these functions outside the territorial limits as directed by the Governor during the time of emergency pursuant to the provisions of Chapter 44, RSMo., and supplements thereto.

Section 225.040. Director.

- A. The Director will be appointed by the Mayor and shall serve at the pleasure of the Mayor.
- B. The Director shall have direct responsibility for the organization, administration and operations of local emergency management operations, subject to the direction and control of the Mayor or Board of Aldermen.
- C. The Director shall be responsible for maintaining records and accounting for the use and disposal of all items of equipment placed under the jurisdiction of the Diamond Emergency Management Organization.

Section 225.050. Scope of Operation.

- A. The City of Diamond in accordance with Chapter 44, RSMo., may:
1. Appropriate and expend funds, make contracts, obtain and distribute equipment, materials and supplies for emergency management purposes; provide for the health and safety of persons, 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 Governments.
 2. Appoint, provide or remove rescue teams, auxiliary fire and Police personnel and other emergency operation teams, units or personnel who may serve without compensation.

Section 225.060. Mutual-Aid Agreements.

The Mayor of the City, with the approval of the Governor and consistent with the Missouri Emergency Operations Plan and the provisions of Section 70.837, RSMo., and Section 320.090, RSMo., may enter into mutual-aid agreements with other public and private agencies within and without the State for reciprocal emergency aid. The Director may assist in the negotiation of such reciprocal mutual-aid agreements.

Section 225.070. City May Accept Services, Etc.

The Mayor of the City may, with the consent of the Governor, accept services, materials, equipment, supplies or funds gifted, granted or loaned by the Federal Government or an officer or agency thereof for emergency management purposes, subject to the terms of the offer.

Section 225.080. Oath.

No person shall be employed or associated in any capacity in the Diamond Emergency Management Organization 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 any subversive act against the United States. Each person who is appointed to serve in the Diamond Emergency Management Organization shall, before entering upon his/her 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; 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 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 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 Diamond Emergency Management 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 225.090. Office Space.

The Mayor is authorized to designate space in any City-owned or leased building for the Diamond Emergency Management Organization.