

State of Missouri
CIVIL DEFENSE AGENCY
Jefferson City

Ordinance No. 9

Mo. CDA Circular
No. 35-2 Revised

March 25, 1960

SUGGESTED CITY ORDINANCE
RELATING TO CIVIL DEFENSE

AN ORDINANCE Relating to Local Civil Defense

BE IT ORDAINED by the council of the city of *Wasson Heights*
that:

Section 1. (Establishment) There is hereby created the local municipal organization for the preparation and the carrying out of all the emergency functions other than functions for which the military forces are primarily responsible, to minimize and repair injury and damage resulting from disasters caused by enemy attack in accordance with "The Missouri Civil Defense Act of 1959."

This organization shall consist of a Director and other additional members to be selected by the Director in order to conform to the state organization and procedures for the conduct of emergency operations as outlined in the Missouri Survival Plan.

Section 2. (Director) A Director of the municipal organization for the conduct of emergency operations may be appointed by the mayor and shall serve until removed by the same.

The Director shall have such responsibilities for the organization, administration, and operation of this organization as is delegated by the chief executive officer subject to the direction and control of the (mayor) (city manager) (city council) as provided by statute.

~~Chief executive officer~~ shall be defined for purposes of this act to mean the mayor, city manager, or other official appointed by the city council or elected by the public to administer the city government and its operations.

Section 3. (Functions) The municipal organization shall perform such Civil Defense functions within the municipality as shall be prescribed in and by the State Civil Defense 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 quasi-municipality entered into as provided by the "Missouri Civil Defense Act of 1959" or the State Survival Plan.

Section 4. Appoint, provide, without compensation, or remove any personnel needed by the organization for the proper function of its duties.

The Director shall form mobile support units as provided for in the Missouri Civil Defense Act of 1959 and the State Survival Plan and shall designate the leaders thereof.

Any member of a Mobile Support Team who is a municipal employee or officer while serving on call to duty by the Governor, or the State Director of Civil Defense, shall receive the compensation and have the powers, duties, rights, and immunities incident to such employment or office.

Section 5. The executive officer of any political subdivision, with the approval of the governor, may enter into mutual-aid arrangements or agreements with other public and private agencies within and without the state for reciprocal civil defense aid. Such arrangements or agreements shall be consistent with the State Survival Plan, and in time of emergency it shall be the duty of each local organization for civil defense to render assistance in accordance with the provisions of such mutual aid arrangements or agreements.

The director of each local organization for civil defense may assist in negotiation or reciprocal mutual-aid agreements between his organization and other public and private agencies and between the Governor and the adjoining states or political subdivisions thereof, and shall carry out arrangements or agreements relating to the local unit.

Section 6. In carrying out the emergency powers under the provisions of this law, the Governor and the executive officers or governing bodies of the political subdivisions of the State are directed to use the services, equipment, supplies and facilities of existing departments, offices and agencies of the state and of the political subdivisions, and the officers and personnel of all such departments, offices and agencies are directed to cooperate with and extend such services and facilities to the Governor and the Missouri Civil Defense Agency upon request.

Section 7. Whenever the federal government or state government, or officer or agency thereof shall offer to the state, or through the state to any political subdivision thereof, services, equipment, supplies, material or funds by way of gift, grant or loan, for the purpose of civil defense, the state acting through the Governor, or the political subdivision, acting with the consent of the Governor and through its executive officer, may accept such offer and upon acceptance the Governor or executive officer of the political subdivision may authorize any officer of the state or of the political subdivision, as the case may be, to receive such services, equipment, supplies, materials or funds on behalf of the state or the political subdivisions subject to the terms of the offer.

Section 8. In the event of an emergency as defined in the Missouri Civil Defense Act of 1959, the municipal Director of Civil Defense is authorized on behalf of the municipality, 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 municipal contracts or obligations, as authorized by the Missouri Civil Defense Act of 1959, provided that, if the city council meets at such time, he shall act subject to the directions and restrictions imposed by that body.

Section 9. In the event of enemy attack, the mayor, manager or city council may waive any time consuming procedures and formalities otherwise required by statute pertaining to the advertisement for bids for the performance of public work or entering into contracts.

Section 10. (Oath) Every person appointed to serve in any capacity in the municipal Civil Defense organization shall, before entering upon his duties, subscribe to the following oath, which shall be filed with the Director:

"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 Missouri, 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 reservations 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 this State by force or violence; and that during such time as I am affiliated with the municipal Civil Defense 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, city manager or city council, is authorized to designate space in any municipally owned or leased building for the municipal Civil Defense organization as its office.

Section 12. This ordinance shall be in force from and after its passage and approval, as provided by law.

Passed this ninth (9) day of January, 1961

Approved this _____ day of _____, 19____

James Wood, MAYOR

Attest:

Mary Bith Essig
Clerk

Dean Lupkey
Dean Lupkey
Director

Distribution D

ACCEPTANCE OF Electric Franchise ORDINANCE

To the Board of Trustees of the Village
of Wood Heights, Ray County, Missouri

The MISSOURI POWER & LIGHT COMPANY for itself, its successors and assigns,
hereby accepts in writing, the Ordinance and all rights and privileges therein granted,
passed by the Board of Trustees of the Village
of Wood Heights, Missouri on the 19th day of April, 1960,
and approved by the Chairman, Board of Trustees of Wood Heights

on the 19th day of April, 1960, designated as Ordinance No. 3, and entitled:
An Ordinance granting the franchise, right, permission and authority to the Missouri Power & Light
Company, a corporation organized and existing under and by virtue of the laws of the State of Missouri,
its successors and assigns, to construct, maintain and operate in the Village of Wood Heights, County
of Ray, State of Missouri, a system for the manufacture, transmission, distribution and sale of elec-
tricity for lighting, heating and power purposes; providing the terms thereof.

This acceptance is executed and filed as provided in Section 8 of said Ordinance,
and said Company hereby agrees to all the terms and conditions of said Ordinance.

Dated at Jefferson City, State of Missouri, this 25th day of
April, 19 60.

MISSOURI POWER & LIGHT COMPANY

By Davis Bennett
President

Attest: Carl W. Thomas
Secretary

STATE OF Missouri
COUNTY OF Ray } ss.
Village OF Wood Heights

I, Mrs. Jaye Magathson Clerk of the
Village of Wood Heights, State of Missouri, do
hereby certify that the foregoing is a true and correct copy of acceptance of Ordinance
No. 3, of Village of Wood Heights as therein described, the original of
which acceptance was filed in the office of the Clerk of said Village
on the 27 day of April, 19 60, and is now recorded among the
original records thereof, and that I am the keeper of the same.

Witness my hand and the official seal of said Village this 27 day of
April, 19 60.

Mrs. Jaye Magathson
Village Clerk.

(SEAL) No Seal