

**TITLE 20**

**MISCELLANEOUS**

**CHAPTER**

1. TELEPHONE SERVICE.
2. CIVIL DEFENSE ORGANIZATION.

**CHAPTER 1**

**TELEPHONE SERVICE**

**SECTION**

20-101. To be furnished by Tennessee Telephone Company, Inc.

**20-101. To be furnished by Tennessee Telephone Company, Inc.** Telephone service shall be provided to the Town of Linden and its inhabitants by the Tennessee Telephone Company, Inc. The rights, powers, duties, and obligations of the Town of Linden and its inhabitants, are stated in the agreements between the parties.<sup>1</sup> (Ord. #84-1, \_\_\_\_\_, modified)

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<sup>1</sup>The agreements are of record in the office of the recorder.

## CHAPTER 2

### CIVIL DEFENSE ORGANIZATION<sup>1</sup>

#### SECTION

- 20-201. Organization created.
- 20-202. Authority and responsibilities.
- 20-203. Office of director, his authority and responsibility.
- 20-204. Civil defense corps created.
- 20-205. No municipal or private liability.
- 20-206. Expenses of civil defense.

**20-201. Organization created.** There is hereby created the Town of Linden Civil Defense Organization which shall be an operation by the Town of Linden for the purpose of organizing and directing civil defense for the citizens of the entire town. All other civil defense agencies within the corporate limits of Linden shall be considered as a total part of the town-wide civil defense emergency resources and when such agencies operate out of its corporate limits it shall be at the direction of, subordinate to, and as a part of the Town of Linden Civil Defense. (1978 Code, § 1-901)

**20-202. Authority and responsibilities.** (1) Authority. In accordance with federal and state enactments of law, the Town of Linden Civil Defense Organization is hereby authorized to assist the regular government of the town and the governments of all political subdivisions therein, as may be necessary due to enemy caused emergencies or natural disasters, including but not limited to: storms, floods, fires, explosions, tornadoes, hurricanes, droughts, or peace-time man-made disasters, which might occur affecting the lives, health, safety, welfare, and property of the citizens of Linden. The Town of Linden Civil Defense Organization is hereby authorized to perform such duties and functions as may be necessary on account of said disasters. The Town of Linden Civil Defense Organization is hereby designated the official agency to assist regular forces in time of said emergencies.

(2) Responsibilities. The Town of Linden Civil Defense Organization shall be responsible for preparation and readiness against enemy caused and natural emergencies arising in the Town of Linden, to establish and coordinate emergency plans, forces, means, and resources, and is hereby designated the official agency to establish such emergency plans. (1978 Code, § 1-902)

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<sup>1</sup>State law reference

Tennessee Code Annotated, title 58, chapter 2.

**20-203. Office of director, his authority and responsibility.**

(1) Primary authority. (a) The office of the director of civil defense is hereby created. The director shall have the authority to request the declaration of the existence of an emergency by the mayor or by higher authority as appropriate.

(b) The director shall have overall responsibility for the preparation of all plans and for recruitment and training of personnel. All local civil defense plans will be in consonance with state plans and shall be approved by the state CD office.

(c) The director is hereby given the authority to delegate such responsibility and authority as is necessary to carry out the purposes of this chapter subject to the approval of the chief executive officer of the town.

(2) Responsibility of the director. The director shall be responsible to the chief executive officer of the town for the execution of the authorities, duties, and responsibilities of the Town of Linden Civil Defense Organization, for the preparation of all plans and administrative regulations, and for recruitment and training of personnel. (1978 Code, § 1-903)

**20-204. Civil defense corps created.** The Town of Linden Civil Defense Corps is hereby created. The corps shall be under the direction of the director of civil defense and his staff members with delegated authority; it shall consist of designated regular government employees and volunteer workers. Duties and responsibilities of the corps members shall be outlined in the civil defense emergency plan. (1978 Code, § 1-904)

**20-205. No municipal or private liability.** The duties prescribed in this chapter is an exercise by the town of its governmental functions for the protection of the public peace, health and safety and neither the Town of Linden, the agents and representatives of said town, nor any individual, receiver, firm, partnership, corporation, association or trustee, nor any of the agents thereof, in good faith carrying out, complying with, or attempting to comply with, any order, rule, or regulation promulgated pursuant to the provisions of this chapter shall be liable for any damage sustained to any person or property as the result of said activity. Any person owning or controlling real estate or other premises for the purpose of sheltering persons during an actual, impending, or practice enemy attack, shall together with his successors in interest, if any, not be civilly liable for the death of, or injury to, any person on or about such real estate or premises under such license, privilege, or other permission or for loss of, or damage to, the property of such person. (1978 Code, § 1-905)

**20-206. Expenses of civil defense.** No person shall have the right to expend any public funds of the town in carrying out any civil defense activities

authorized by this chapter without prior approval by the governing body of the town; nor shall any person have any right to bind the town by contract, agreement, or otherwise without prior and specific approval by the governing body of the town. The civil defense director shall disburse such monies as may be provided annually by appropriation of the town for the operation of the civil defense organization. Control of disbursements will be as prescribed by agreement between the director and the treasurer of the town. The director shall be responsible for the preparation and submission of a budget with recommendations as to its adoption by the town. All funds shall be disbursed upon vouchers properly executed by the director of civil defense, subject to audit by the Town of Linden. The civil defense director is hereby authorized to accept federal contributions in money, equipment, or otherwise, when available, or state contributions, and is further authorized to accept contributions to the civil defense organization from individuals and other organizations, such funds becoming liable for audit by the town. (1978 Code, § 1-906)