

TITLE 20

MISCELLANEOUS

CHAPTER

1. CIVIL DEFENSE.

CHAPTER 1

CIVIL DEFENSE

SECTION

20-101. Macon Lafayette County Civil Defense Organization created.

20-102. Authority and responsibilities.

20-103. Office of director.

20-104. Civil defense corps created.

20-105. No municipal or private liability.

20-106. Expenses.

20-101. Macon Lafayette County Civil Defense Organization created. There is hereby created the Macon Lafayette County Civil Defense Organization, which shall be a joint operation by the City of Lafayette, and the County of Macon for the purpose of organizing and directing civil defense for the citizens of the entire county. All other civil defense agencies within the corporate limits of Macon County shall be considered as a total part of the county 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 Macon County civil defense. (1973 Code, § 1201)

20-102. Authority and responsibilities. (1) Authority. In accordance with federal and state enactments of law, the Macon Lafayette County Civil Defense Organization is hereby authorized to assist the regular government of the county governments of all political subdivisions therein, as may be necessary due to enemy caused emergency or natural disasters, including but not limited to: storms, floods, fires, explosions, tornadoes, hurricanes, drought, or peace time man-made disasters, which might occur affecting the lives, health, safety, welfare and property of the citizens of Macon County. The Macon County Civil Defense Organization is hereby authorized to perform such duties and functions as may be necessary on account of said disasters. The Macon County Civil Defense Organization is hereby designated the official agency to assist regular forces in time of said emergencies.

(2) Responsibilities. The Macon Lafayette County Civil Defense Organization shall be responsible for preparation and readiness against enemy caused and natural emergencies arising in Macon County, to establish and

coordinate emergency plans, forces, means, and resources, and is hereby designated the official agency to establish such emergency plans. (1973 Code, § 1-1202)

20-103. Office of director. (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 and the county judge or either or by higher authority as appropriate.

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

(2) Responsibility of director. The director shall be responsible to the chief executive officers of the city and county for the execution of the authorities, duties and responsibilities of the Macon Lafayette County Civil Defense Organization, for the preparation of all plans and administrative regulations and for recruitment and training of personnel. (1973 Code, § 12-03)

20-104. Civil defense corps created. The Macon Lafayette County 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. (1973 Code, § 1-1204)

20-105. No municipal or private liability. The duties prescribed in this chapter in an exercise by the city and county of its governmental functions for the protection of the public peace, health and safety and neither the City of Lafayette nor Macon County, the agents and representatives of said city and county 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 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 licenses,

privilege or other permission or for loss of, or damage to, the property of such person. (1973 Code, § 1-1205)

20-106. Expenses. No person shall have the right to expend any public funds of the city or county in carrying out any civil defense activities authorized by this chapter without prior approval by the governing bodies of the city and/or county or both; nor shall any person have any right to bind the city or county by contract, agreement or otherwise without prior and specific approval by the governing body of the city and/or county, or both. The civil defense director shall disburse such monies as may be provided annually by appropriation of the city and county for the operation of the civil defense organization. Control of disbursements will be as prescribed by the agreement between the treasurers of the city and county. He shall be responsible for the preparation and submission of a budget with recommendations as to its adoption by the city and county. All funds shall be disbursed upon vouchers properly executed by the director of civil defense, subject to audit by either the City of Lafayette or Macon County. The civil defense director is hereby authorized to accept federal contributions in money, equipment, or otherwise, when available, or state contributions to the civil defense organization from individuals and other organizations, such funds becoming liable for audit by the city and county. (1973 Code, § 1-1206)