

**TITLE 20****MISCELLANEOUS****CHAPTER****1. JOINT CIVIL DEFENSE ORGANIZATION.****CHAPTER 1****JOINT CIVIL DEFENSE ORGANIZATION****SECTION**

- 20-101. Marion County Civil Defense Organization created.
- 20-102. Authority.
- 20-103. Responsibilities.
- 20-104. Office of director, his authority and responsibility.
- 20-105. Marion County Civil Defense Corps created.
- 20-106. No municipal or private liability.
- 20-107. Expenses of civil defense.

**20-101. Marion County Civil Defense Organization created.** There is hereby created the Marion County Civil Defense Organization, which shall be a joint operation by the City of South Pittsburg and the County of Marion, 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 Marion County shall be considered as a total part of the countywide civil defense emergency resources and when any agency operates out of its corporate limits it shall be at the direction of, subordinate to, and as a part of the Marion County Civil Defense Organization. (2005 Code, § 20-101)

**20-102. Authority.** In accordance with federal and state enactments of law, the Marion County Civil Defense Organization is hereby authorized to assist the regular government of the county and 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 Marion County. The Marion County Civil Defense Organization is hereby authorized to perform such duties and functions as may be necessary on account of said disasters. The Marion County Civil Defense Organization is hereby designated the official agency to assist regular forces in time of said emergencies. (2005 Code, § 20-102)

**20-103. Responsibilities.** The Marion County Civil Defense Organization shall be responsible for preparation and readiness against enemy caused and natural emergencies arising in Marion County, to establish and coordinate emergency plans, forces, means, and resources, and is hereby designated the official agency to establish such emergency plans. (2005 Code, § 20-103)

**20-104. 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 and county judge or either or by higher authority as appropriate.

(b) The director shall have overall responsibility for the preparation of 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 and resolution, subject to the approval of the chief executive officers of the city and county.

(2) Responsibility of the 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 Marion County Civil Defense Organization, for the preparation of all plans and administrative regulations, and for recruitment and training of personnel. (2005 Code, § 20-104)

**20-105. Marion County Civil Defense Corps created.** The Marion 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. (2005 Code, § 20-105)

**20-106. No municipal or private liability.** The duties prescribed in this document are an exercise by the city and county of their governmental functions for the protection of the public peace, health, and safety and neither the City of South Pittsburg nor Marion County, nor 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 document 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 used 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. (2005 Code, § 20-106)

**20-107. Expenses of civil defense.** 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 document without prior approval by the governing bodies of the city and/or county; 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 bodies of the city and/or county. 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 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 South Pittsburg or Marion County. 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 city and county. (2005 Code, § 20-107)