

ARTICLE 107
Emergency Services

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CROSS REFERENCES

Emergency services - see W. Va. Code Art. 15-5

107.01 POLICY AND PURPOSE.

(a) In view of the existing and increasing possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from enemy attack, sabotage or other hostile action, or from fire, flood, earthquakes or other natural or manmade causes, and in order to insure that preparations of the City will be adequate to deal with such disasters, and, generally, to provide for the defense and to protect the public peace, health and safety and to preserve the lives and property of the people of the City, it is hereby found and declared to be necessary:

- (1) To create an Office of Emergency Services in the City;
- (2) To confer upon the officials of the City the emergency powers provided herein; and
- (3) To provide for the rendering of emergency services within this City and to cooperate with other governmental agencies with respect to carrying out the emergency service functions.

(b) It is further declared to be the purpose of this article and the policy of the City that all emergency services functions of the City be coordinated to the maximum extent with the comparable functions of the County, State and Federal governments, including the various departments and agencies thereof, as well as with other states and localities and with private agencies of every type, so that the most effective preparation and use may be made of the County, State and nation's manpower, resources and facilities for dealing with any disaster that may occur. (1978 Code Sec. 7-1)

107.02 OFFICE OF EMERGENCY SERVICES CREATED; MEMBERSHIP.

(a) There is Hereby created the Office of Emergency Services, which shall consist of the following members: The Mayor, who shall be ex-officio chairman; the Director of Public Works; the Chiefs of Police and Fire of the City, and one other member to be nominated and appointed by Council, not more than three of whom shall be of the same political party. If, after the appointment of such member, this requirement is not met, the Director of Public Works shall be automatically disqualified from office and the Mayor shall fill the vacancy with a registered professional engineer of the appropriate political party.

(b) The terms of all ex-officio members shall follow the term of their respective Municipal offices.

(c) The term of such registered professional engineer appointed in lieu of the Director of Public Works shall be at the will and pleasure of the Mayor. The term of Council's appointee shall be until the second regular meeting of Council following the next regular Municipal election for Council members. (1978 Code Sec. 7-2)

107.03 POWERS AND DUTIES.

The powers and duties of the Office of Emergency Services shall include the recommendation of a civil defense program and a program for emergency services for the City and shall also include the following:

(a) Control and direction of the civil defense organization of the City;

(b) Control and direction of services during every type of emergency within the City;

(c) Appointment of such voluntary personnel as the Office of Emergency Services may deem advisable

(d) The maintenance of necessary liaison with other municipal, area, State, regional, federal or other civil defense or emergency services offices or organizations;

(e) The marshalling, after the declaration of an emergency, of all necessary personnel, equipment or supplies to aid the carrying out of the civil defense plan or the emergency services plan;

(f) The institution of training programs and public information programs and the taking of other preparatory steps including partial or full mobilization of civil defense programs and emergency services programs in advance of actual disaster or emergency; and

(g) On behalf of the City and subject to approval of the Office of Emergency Services, the entering into mutual aid arrangements with other cities and counties in the State, and also, under authority of the State, the entering into of reciprocal civil defense agreements and emergency services agreements with Federal agencies and other states for aid in case of disaster or emergencies too great to be dealt with unassisted. (1978 Code Sec. 7-3)

107.04 MEMBERSHIP, DUTIES AND ORGANIZATION.

The operational civil defense and emergency services organization of the City shall consist of the officers and employees of the City designated by the Mayor, as well as all volunteer Municipal defense and emergency services workers. The functions and duties of this organization shall be distributed among such divisions, services and special staff as Council shall by resolution prescribe. Insofar as possible, the form of organization and terminology shall conform to the recommendations of the Federal and State civil defense and emergency services organization. (1978 Code Sec. 7-4)

107.05 ACCEPTANCE OF FEDERAL OR STATE AID.

Whatever the Federal or State governments, or any agency or officer thereof, shall offer or make available to the City, services, equipment, supplies, materials or funds by way of gift, grant, loan or matching funds, for the purpose of civil defense or emergency services, the City, acting through the Mayor, may accept such offer and, upon acceptance, authorize the proper offices of the City to receive such services, equipment, supplies, materials or funds on behalf of the City. (1978 Code Sec. 7-5)

107.06 DIRECTOR.

Council may authorize the appointment of a Director of the Office of Emergency Services. Upon such authorization, the Mayor is authorized and directed to appoint a Director of the Office of Emergency Services to serve at the will and pleasure of the Mayor. (1978 Code Sec. 7-6)