

ORDINANCE NO. 1992-6

AN ORDINANCE ESTABLISHING A PROGRAM INCLUDING MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY PHASES OF COMPREHENSIVE EMERGENCY MANAGEMENT; ACKNOWLEDGING THE OFFICE OF EMERGENCY MANAGEMENT DIRECTOR; AUTHORIZING THE APPOINTMENT OF AN EMERGENCY MANAGEMENT COORDINATOR; AND PROVIDING FOR THE DUTIES AND RESPONSIBILITIES OF THOSE OFFICES; IDENTIFYING AN OPERATIONAL ORGANIZATION; GRANTING NECESSARY POWERS TO COPE WITH ALL PHASES OF EMERGENCY MANAGEMENT WHICH THREATEN LIFE AND PROPERTY IN THE CITY OF Inglewood On The Bay, Tx; AUTHORIZING COOPERATIVE AND MUTUAL AID AGREEMENTS FOR RELIEF WORK BETWEEN THIS AND OTHER CITIES OR COUNTIES AND FOR RELATED PURPOSES; PROHIBITING UNAUTHORIZED WARNING AND ALL-CLEAR SIGNALS AND MAKING VIOLATIONS A MISDEMEANOR PUNISHABLE BY FINE NOT TO EXCEED \$ 100.00.

WHEREAS, the City Council of the City of Inglewood On The Bay finds that the identification of potential hazards and the prevention or mitigation of their effects must be an on-going concern of the City if the lives and property of the populace are to be protected; and

WHEREAS, the City Council hereby declares that the preparation of a Comprehensive Emergency Management plan, and the means for its implementation, for the protection of lives and property in the City of Inglewood On The Bay from natural or man-caused disasters or threat thereof is immediately essential; and

WHEREAS, the City Council further finds that in times of disasters which may imperil the safety of the inhabitants of the City, or their property, it becomes necessary to effectuate and place into operation the preconceived plans and preparations with a minimum of delay; and

WHEREAS, the City Council finds, therefore, that the preparation, and implementation of such plans are now imperative;  
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF Inglewood On The Bay, Tx:

### Section 1. ORGANIZATION

There exists the office of Emergency Management Director of the City of Inglewood On The Bay, Tx, which shall be held by the Mayor in accordance with state law.

- (a) An Emergency Management Coordinator may be appointed by and serve at the pleasure of the Director;
- (b) The Director shall be responsible for a program of comprehensive emergency management within the city and for carrying out the duties and responsibilities set forth in this ordinance. He/she may delegate authority for execution of these duties to the Coordinator, but ultimate responsibility for such execution shall remain with the Director.



- (c) The operational Emergency Management organization of the City of IngleSide On The Bay shall consist of the officers and employees of the City so designated by the Director in the emergency management plan, as well as organized volunteer groups. The functions and duties of this organization shall be distributed among such officers and employees in accordance with the terms of the emergency management plan.

## Section 2. EMERGENCY MANAGEMENT DIRECTOR - POWERS AND DUTIES

The duties and responsibilities of the Emergency Management Director shall include the following:

- (a) Conduct an on-going survey of actual or potential hazards which threaten life and property within the city and an on-going program of identifying and requiring or recommending the implementation of measures which would tend to prevent the occurrence or reduce the impact of such hazards if a disaster did occur.
- (b) Supervision of the development and approval of an emergency management plan for the City of IngleSide On The Bay, and shall recommend for adoption by the City Council all mutual aid arrangements deemed necessary for the implementation of such plan.
- (c) Authority to declare a local state of disaster. The declaration may not be continued or renewed for a period in excess of 7 days except by or with the consent of the City Council. Any order or proclamation declaring, continuing, or terminating a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
- (d) Issuance of necessary proclamations, regulations or directives which are necessary for carrying out the purposes of this ordinance. Such proclamations, regulations, or directives shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless circumstances attendant on the disaster prevent or impede, promptly filed with the City Secretary.
- (e) Direction and control of the operations of the IngleSide On The Bay Emergency Management organization as well as the training of Emergency Management personnel.
- (f) Determination of all questions of authority and responsibility that may arise within the Emergency Management organization of the City.
- (g) Maintenance of liaison with other municipal, county, district, state, regional or federal, Emergency Management organizations.
- (h) Marshaling of all necessary personnel, equipment or supplies from any department of the City to aid in the carrying out of the provisions of the emergency management plan.



- (i) Supervision of the drafting and execution of mutual aid agreements, in cooperation with the representatives of the state and of other local political subdivisions of the state, and the drafting and execution, if deemed desirable, of an agreement with the county in which said city is located and with other municipalities within the county, for the county-wide coordination of Emergency Management efforts.
- (j) Supervision of, and final authorization for the procurement of all necessary supplies and equipment, including acceptance of private contributions which may be offered for the purpose of improving Emergency Management within the City.
- (k) Authorizing of agreements, after approval by the City Attorney, for use of private property for public shelter and other purposes.
- (l) Survey of the availability of existing personnel, equipment, supplies and services which could be used during a disaster, as provided for herein.
- (m) Other requirements as specified in Texas Disaster Act 1975 (V.T.C.S. Article 6889-7).

### Section 3. EMERGENCY MANAGEMENT PLAN

A comprehensive Emergency Management Plan shall be developed and maintained in a current state. The plan shall set forth the form of the organization, establish and designate divisions and functions, assign responsibilities, tasks, duties, and powers, and designate officers and employees to carry out the provisions of this ordinance. As provided by state law, the plan shall follow the standards and criteria established by the State Division of Emergency Management of the State of Texas. Insofar as possible, the form of organization, titles and terminology shall conform to the recommendations of the State Division of Emergency Management. When approved, it shall be the duty of all departments and agencies to perform the functions assigned by the plan and to maintain their portion of the plan in a current state of readiness at all times. The emergency management plan shall be considered supplementary to this ordinance and have the effect of law during the time of a disaster.

### Section 4. INTERJURISDICTIONAL PROGRAM

The Mayor is hereby authorized to join with the County Judge of the County of San Patricio and the mayors of the other cities in said county in the formation of an Emergency Management Council for the County of San Patricio and shall have the authority to cooperate in the preparation of a joint emergency management plan and in the appointment of a joint Emergency Management Coordinator, as well as all powers necessary to participate in a county-wide program of emergency management insofar as said program may affect the City of Ingleside On The Bay, Tx.

### Section 5. OVERRIDE

At all times when the orders, rules, and regulations made and promulgated pursuant to this ordinance shall be in effect, they shall supersede and



override all existing ordinances, orders, rules, and regulations insofar as the latter may be inconsistent therewith.

#### Section 6. LIABILITY

This ordinance is an exercise by the City of its governmental functions for the protection of the public peace, health, and safety and neither the City of Inglewood On The Bay, the agents and representatives of said City, 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 ordinance shall be liable for any damage sustained to persons as the result of said activity. Any person owning or controlling real estate or other premises who voluntarily and without compensation grants to the City of Inglewood On The Bay a license of privilege, or otherwise permits the City to inspect, designate and use the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual, impending or practice enemy attack or natural or man-made disaster 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.

#### Section 7. COMMITMENT OF FUNDS

No person shall have the right to expend any public funds of the City in carrying out any Emergency Management activity authorized by this ordinance without prior approval by the City Council, nor shall any person have any right to bind the City by contract, agreement or otherwise without prior and specific approval of the City Council unless during a declared disaster. During a declared disaster, the Mayor may expend and/or commit public funds of the city when deemed prudent and necessary for the protection of health, life, or property.

#### Section 8. OFFENSES; PENALTIES

- (a) It shall be unlawful for any person willfully to obstruct, hinder, or delay any member of the Emergency Management organization in the enforcement of any rule or regulation issued pursuant to this ordinance, or to do any act forbidden by any rule or regulation issued pursuant to the authority contained in this ordinance.
- (b) It shall likewise be unlawful for any person to wear, carry or display any emblem, insignia or any other means of identification as a member of the Emergency Management organization of the City of Inglewood On The Bay, unless authority to do so has been granted to such person by the proper officials.
- (c) Any unauthorized person who shall operate a siren or other device so as to simulate a warning signal, or the termination of a warning, shall be deemed guilty of a violation of this ordinance and shall be subject to the penalties imposed by this ordinance.
- (d) Convictions for violations of the provisions of this ordinance shall be punishable by fine not to exceed One Hundred dollars (\$ 100.00 ).



Section 9. SEVERABILITY

If any portion of this ordinance shall, for any reason, be declared invalid such, invalidity shall not affect the remaining provisions thereof.

Section 10. LIMITATIONS

This ordinance shall not be construed so as to conflict with any State or Federal statute or with any military or naval order, rule, or regulation.

Section 11. REPEALER

All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

READ AND APPROVED on first reading this the Seventeenth day of March, 1992.

READ, APPROVED AND ADOPTED on second reading this the n/a day of \_\_\_\_\_, 19\_\_\_\_.

Alfred Robles  
\_\_\_\_\_  
City of \_\_\_\_\_, Mayor  
\_\_\_\_\_, Texas



ATTEST:

Juliusa Hargrove  
\_\_\_\_\_, City Secretary  
Ingleside On The Bay, Tx.



# Federal Emergency Management Agency

Region VI  
Federal Regional Center  
800 North Loop 288  
Denton, TX 76201-3698

NHB

April 28, 1992

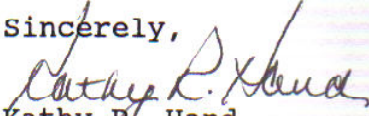
Honorable A. D. Robbins  
Mayor, Ingleside on the Bay  
P.O. Box 373  
Ingleside, Texas 78362

Dear Mayor Robbins:

Your application for Participation in the National Flood Insurance Program (NFIP) had been reviewed by this office and forwarded to our Washington Office for final approval. Within approximately 10 working days, you should receive a letter approving your application and establishing the effective date for the sale of flood insurance.

If you should have any questions concerning the status of your application, please feel free to contact this office at (817) 898-5185.

Sincerely,

  
Kathy R. Hand  
Emergency Management  
Assistant

cc: Keith Krause  
Texas Water Commission



## JOINT RESOLUTION

WHEREAS, the City of Ingleside on the Bay by City Ordinance No 1992-6, and San Patricio County by Commissioners' Court Order dated February 28, 1983, have established similar programs of comprehensive emergency management which includes the mitigation, preparedness response and recovery phases of emergency management; and

WHEREAS, the City and County find that vulnerability to many potential hazards is shared by residents of Ingleside on the Bay and the unincorporated portions of San Patricio County; and

WHEREAS, the City and County further finds that the common goal of emergency management can best be achieved through an organization which shares the combined resources of the City and the County; and

WHEREAS, the contemplated action is specifically authorized by the aforementioned Ordinances and Court Order;

THEREFORE, BE IT RESOLVED that there is hereby established the San Patricio County Emergency Management organization which shall consist of the officers and employees of the City and of the County as designated in a join emergency management plan, together with such organized volunteer groups as that plan may specify; and

BE IT FURTHER RESOLVED that the Mayor of Ingleside on the Bay and the San Patricio County Judge shall mutually appoint an Emergency Management Coordinator to coordinate all aspects of the Ingleside on the Bay/San Patricio County program of comprehensive emergency management, including the preparation and maintenance of a joint emergency management plan for Ingleside on the Bay and San Patricio County in accordance with this resolution

RESOLVED this the 20th day of July, 1992.

DO IT FURTHER RESOLVED that the Mayor of Ingleside on the Bay  
and the San Patricio County Judge shall mutually appoint  
an Emergency Management Coordinator to coordinate all  
aspects of the Ingleside on the Bay/San Patricio County  
program of comprehensive emergency management, including  
the preparation and maintenance of a joint emergency  
management plan for Ingleside on the Bay and San

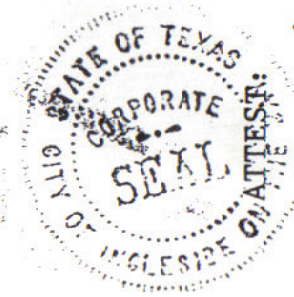
Patricio County in accordance with this resolution

RESOLVED this the 20th day of July, 1992.

Abner Kohn

Mayor, City of Ingleside  
on the Bay

Josephine Miller  
County Judge, San Patricio  
County



Adelia Martinez  
City Secretary



Dottie Wiley  
County Clerk



THE CITY OF INGLESIDE ON THE BAY, TEXAS

1. ORDINANCE # 1992-006

THE CITY OF INGLESIDE ON THE BAY, TEXAS BY CITY ORDINANCE #1992-006  
AND SAN PATRICIO COUNTY BY COMMISSIONERS' COURT DATED MARCH 17, 1992  
HAVE ESTABLISHED SIMILAR PROGRAMS OF COMPREHENSIVE EMERGENCY  
MANAGEMENT WHICH INCLUDES THE MITIGATION, PREPAREDNESS RESPONSE  
AND RECOVERY PHASES OF EMERGENCY MANAGEMENT.

2. ORDINANCE #1992-7

FLOOD DAMAGE PREVENTION ORDINANCE #1992-7

PASSED, ADOPTED, AND APPROVED THE SEVENTEENTH (17th) DAY OF MARCH, 1992  
BY THE GOVERNING BODY OF THE CITY OF INGLESIDE ON THE BAY, TEXAS

POSTED: March 20, 1992 THRU March 30, 1992 : 10 DAYS

Virginia Hargrove

Virginia Hargrove

City Secretary

City of Ingleside On The Bay, Texas



Posted thru April 4, 1992

Bahia Marina Restaurant

J.H.



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Passed, Adopted, and approved the 17th day of March, 1992.

/s/ Virginia Hargrove

City Secretary

City of

Ingleside on the Bay,

Texas

Published in The Ingleside Index March 26, 1992.

THE STATE OF TEXAS  
COUNTY OF SAN PATRICIO:

Before me, the undersigned authority, personally appeared

R P RICHARDS

of The Ingleside Index, who after being by me duly sworn, on his oath deposes and said:

1. That (he) Xhe is PUBLISHER of The Ingleside Index a weekly newspaper published in San Patricio County, Texas.

2. That the CITY OF INGLESIDE ON THE BAY:  
ORDINANCE #1992-6

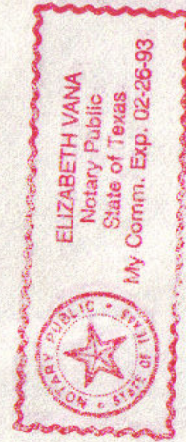
hereto annexed, was published in the regular issues of said Ingleside Index once each week for One (1)

successive weeks said publications having been made on the March 26, 1992

3. That a printed copy of said notice

as the same appeared in said issues is attached hereto.

R.P. Richards



Sworn to and subscribed before me this

March, 1992

day of

Elizabeth Vana

PUBLICATION FEE: \$ 49.45

Notary Public, San Patricio County, Texas