

**CHAPTER 5**  
**EMERGENCY MANAGEMENT AGENCY**

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**5.01 ESTABLISHMENT**

There is hereby created the Marengo Emergency Management Agency ("EMA") to prevent, minimize, repair and alleviate injury or damage resulting from disaster caused by enemy attack, sabotage or other hostile action, or from natural or man-made disaster, in accordance with the State Emergency Management Agency 20 ILCS 3305/1 *et. seq.* as amended. The Emergency Management Agency shall consist of the Coordinator and such additional members as may be selected by the Coordinator.

**5.02 COORDINATOR**

The Coordinator of Emergency Management Agency shall be appointed by the Mayor with the advice and consent of the City Council and shall serve until removed by same.

The Coordinator shall have direct responsibility for the organization, administration, training and operation of the Emergency Management Agency, subject to the direction and control of the Mayor and City Council as provided by statute.

In the event of the absence, resignation, death or inability to serve as the Coordinator, the Mayor or any person designated by him, shall be and act as Coordinator until a new appointment is made as provided herein.

**5.03 MOBILE SUPPORT TEAM**

The Emergency Management Agency shall perform such Emergency Management Agency functions within the City as shall be prescribed in and by the state Emergency Management Agency plan and program prepared by the Governor, and such orders, rules and regulations as may be promulgated by the Governor, and in addition shall perform such duties outside the corporate limits as may be required pursuant to any mutual aid agreement with any other political subdivision, municipality or quasi-municipality entered into as provided in the State Emergency Management Agency 20 ILCS 3305/1 *et. seq.* as amended.

All or any members of the Emergency Management Agency organization may be designated as members of a Mobile Support Team created by the director of the state Emergency Management Agency as provided by law.

The leader of such Mobile Support Team shall be designated by the Coordinator of the City Emergency Management Agency organization.

Any member of the Mobile Support Team who is a City employee or officer while serving on call to duty by the Governor, or the state director, shall receive the compensation and have the powers, duties, rights and immunities incident to such employment or office. Any such member who is not a paid officer or employee of the City, while so serving, shall receive from the State reasonable compensation as provided by law.

#### 5.04 MUTUAL AID

The Coordinator may negotiate mutual aid agreements with other municipalities or political subdivisions of the State, but no such agreement shall be effective until it has been approved by the Mayor and City Council and by the state director of Emergency Management Agency.

#### 5.05 EMERGENCY ACTION

A. STATE OR NATIONAL: If the Governor proclaims that a disaster emergency exists in the event of actual enemy attack upon the United States or the occurrence within the State of Illinois of a major disaster resulting from enemy sabotage or other hostile action, or from man-made or natural disaster, it shall be the duty of the Emergency Management Agency to cooperate fully with the state Emergency Management Service Agency and with the Governor in the exercise of emergency powers as provided by law.

B. CITY: A local disaster emergency may be declared only by the Mayor. It shall not be continued or renewed for a period in excess of seven days except by or with the consent of the City Council. Any order or proclamation shall be given prompt and general publicity and shall be filed promptly with the Clerk.

C. EFFECT: The effect of a declaration of a local disaster emergency is to activate the response and recovery aspects of any and applicable local or interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance thereunder.

#### 5.06 COMPENSATION

A. PAY RATE: Members of the Emergency Management Agency who are paid employees or officers of the City, if called for training by the state director or Emergency Management Agency, shall receive for the time spent in such training the same rate of pay as is attached to the position held; members who are not such City employees or officers shall receive for such training time such compensation as may be established by the City Mayor.

B. REIMBURSEMENT: The Treasurer may receive and allocate to the appropriate fund, any reimbursement by the state to the City for expenses incident to training members of the Emergency Management Agency as prescribed by the Emergency Management Agency State Director, compensation for services and expenses of members of a Mobile Support Team while serving outside the City in response to a call by the Governor or Emergency Management Agency State Director, as provided by law, and other reimbursement made by the State incident to the Emergency Management Agency activities as provided by law.

#### 5.07 PURCHASES AND EXPENDITURES

The Mayor and City Council may, on recommendation of the Coordinator, authorize any purchase or contract necessary to place the City in a position to combat effectively any disaster resulting from the explosion of any nuclear or other bomb or missile, and to protect the public health and safety, protect property and provide emergency assistance to victims in the case of such disaster or from man-made or natural disaster.

In the event of enemy caused or other disaster, the Coordinator is authorized, on behalf of the City, to procure such services, supplies, equipment or material as may be necessary for such purposes, in view of the emergency without regard to the statutory procedure or formalities normally prescribed by law pertaining to City contracts of obligations, as authorized in the State Emergency Management Agency 20 ILCS 3305/1 *et. seq.* as amended, provided that if the Mayor meets at such time he shall act subject to the directions and restrictions imposed by that body.

#### 5.08 OATH

Every person appointed to serve in any capacity in the Emergency Management Agency organization shall,

before entering upon his duties, subscribe to the following oath, which shall be filed with the Coordinator:

"I, \_\_\_\_\_ do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Illinois, and territory, institutions and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservations or purpose of evasion; and that I will faithfully discharge the duties upon which I am about to enter, and I do further swear (or affirm) that I do not advocate, nor am I, nor have I been a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence; and that during such time as I am affiliated with the Marengo Emergency Management Agency organization, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence."

**5.09 OFFICE**

The Mayor and City Council are authorized to designate space in a City building, or elsewhere, as may be provided for by the Mayor, for the Emergency Management Agency as its office.

**5.10 BUDGET; LEVY OF TAXES**

The Mayor and City Council may budget the Emergency Management Agency for purposes in the manner provided by law, and may levy in addition for the Emergency Management Agency purposes only, a tax not to exceed five cents per \$100 of the assessed value of all taxable property in addition to all other taxes, as provided by the State Emergency Management Agency 20 ILCS 3305/1 *et. seq.* as amended however, that amount collectable under such levy shall in no event exceed \$0.25 per capita.