

**CITY OF DRIPPING SPRINGS**

**ORDINANCE NO. 2020-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, ADOPTING AN EMERGENCY MANAGEMENT PLAN AND RELATED ANNEXES WHICH PERTAINS TO THE ESTABLISHMENT OF A COMPREHENSIVE EMERGENCY MANAGEMENT PROGRAM, PROVIDING FOR THE DUTIES AND RESPONSIBILITIES OF THE EMERGENCY MANAGEMENT DIRECTOR AND COORDINATOR AND OTHER STAFF, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, occasional disasters occur that threaten the public health, safety, and lives of the citizens of the City of Dripping Springs; and

**WHEREAS**, it is necessary and desirable to ensure that all federal, state, and local emergency agencies and personnel coordinate their efforts to efficiently provide emergency relief and disaster recovery aid; and

**WHEREAS**, facilitate efficient and effective assistance to those impacted, it is important that all state and local emergency response agencies and personnel utilize common terminology, integrated communications, consolidated action plans, unified command, modular organization, facilities during emergencies or disasters; and

**WHEREAS**, the Incident Command System, as developed by the National Incident Management System, sets forth standardized procedures for managing personnel, communications, facilities, and resources; and

**WHEREAS**, the proposed City of Dripping Springs Local Emergency Management Plan and Annexes incorporates the National Incident Management System, and is based on plans produced by the Texas Division of Emergency Management and has been approved by the Texas Division of Emergency Management; and

**WHEREAS**, the City Council of the City of Dripping Springs, Texas, deems it in the best interest of the residents of the City of Dripping Springs to adopt a City Emergency Management Plan and Annexes; and

**WHEREAS**, the Texas Government Code § 418.173 provides a City's Emergency Management Plan may prescribe a punishment of up to \$1,000.00 for

failure to comply with the plan or with a rule, order, or ordinance adopted under the plan; and

**WHEREAS**, the City Council of the City of Dripping Springs deems it in the best interest of the City of Dripping Springs to adopt the ability to prescribe the maximum fine allowed by law.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of Dripping Springs, Texas:**

### **1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

### **2. ADOPTION AND AMENDMENT**

The Local Emergency Management Basic Plan and Annexes attached as Attachment “A” are adopted by the City of Dripping Springs. Section 2.04 of the City of Dripping Springs Code of Ordinances as it relates to the emergency management coordinator and the emergency management plans as shown in Attachment “B”. Underlined language is added and struck through language to be removed. Adopt the violation language of Section 418.173 of the Texas Government Code.

### **3. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance, are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

### **4. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

### **5. CODIFICATION**

The City Secretary is hereby directed to record the attached rules, regulations, and policies in the City’s Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

**6. EFFECTIVE DATE**

This Ordinance shall be effective immediately upon passage.

**7. PROPER NOTICE & MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**NOW THEREFORE, BE IT ORDAINED BY THE City Council of the City of Dripping Springs, Texas:**

**PASSED & APPROVED this, the 13<sup>th</sup> day of October 2020, by a vote of \_\_\_\_\_ (ayes) to \_\_\_\_\_ (nays) to (abstentions)**

**CITY OF DRIPPING SPRINGS**

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Bill Fouds, Jr., Mayor

**ATTEST:**

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Andrea Cunningham, City Secretary

ATTACHMENT "A"  
(Attach Local Emergency Management Basic Plan and Annexes)

## ATTACHMENT "B"

### Sec. 2.04.194 Responsibilities

(a) Meetings. The commissioners shall conduct meetings once a month. Meetings shall be conducted at city hall, unless otherwise deemed appropriate by the chairperson. The commission may hold public hearings as deemed necessary and appropriate. Other meeting times and locations can be selected by the chairperson, as deemed necessary and appropriate. All meetings are subject to the Open Meetings Act, chapter 551 of the Texas Government Code.

(b) Policies and implementation. The commission shall advise the city council on recommended policies and application of policies for the development and implementation of an emergency management plan for the city and ETJ.

(c) Regulations. The commission shall review and evaluate all current municipal ordinances of the city, identify provisions that relate to or apply to emergency management, and make recommendations to the city council for needed changes and/or additions.

(d) Information. The commission shall serve as a conduit for soliciting, compiling and submitting public input to the city council. The commission shall be subject to the Texas Public Information Act, chapter 552 of the Texas Government Code.

(e) Activities. The commission shall:

- (1) Develop ~~an~~ city emergency management plan consistent with federal, state, and county standards and practices that addresses the unique and special needs of the city and ETJ. The plan will be submitted to the ~~city~~county emergency management coordinator for approval prior to submission to the city council, ~~and county commissioners court~~. Upon approval, the plan will be provided to the county and all listed contacts in the plan to become an addendum or appendix to the county emergency management plan.
- (2) Review the local emergency management plan annually and update as needed.
- (3) Manage, staff, and operate an area emergency operations center when disaster, major incident, or event dictates that level of support to first responders.
- (4) Provide to the public information and training regarding personal and family disaster planning and response.
- (5) Identify and engage in protection, prevention, mitigation, response, and recovery planning and activities related to local conditions and needs.