

ORDINANCE NO. 2002-5

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CREATING A PLAN FOR EMERGENCY MANAGEMENT IN ORDER TO MINIMIZE HUMAN AND PROPERTY LOSSES DUE TO THE ADVENT OF THE HURRICANE AND TROPICAL STORM SEASON; PROVIDING AUTHORITY TO THE TOWN ADMINISTRATOR REGARDING THE DECLARATION OF A LOCAL EMERGENCY; PROVIDING AUTHORITY REGARDING EMERGENCY DECISIONS AND PROTECTIVE ACTIONS; PROVIDING AUTHORITY FOR EXPENDITURE OF FUNDS FOR RESPONSE OPERATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at the time the Town of Southwest Ranches was incorporated, all codes, ordinances, and resolutions of Broward County, Florida in effect on June 6, 2000 were adopted by reference as the codes, ordinances and resolutions of the Town of Southwest Ranches; and

WHEREAS, Broward County's Comprehensive Emergency Operations Plan [Section 4.6.9 of Broward County Ordinances] and Section 252.38, Florida Statutes, require that Political Subdivisions of the State of Florida develop emergency plans in order to mitigate the impact of a major catastrophic emergency which would adversely affect the health, safety and general welfare of its residents; and

WHEREAS, the recollection of past experiences in emergency management has proven that the main cause of failure in response operations is the overlapping duties and the lack of a main authority in charge, consequently causing delays and incrementing the magnitude of the damages

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Southwest Ranches, Florida:

Section 1: The Town Administrator is hereby designated as the Town's Emergency Coordinator and is hereby granted the authority to create and implement a disaster plan for the Town and to declare a "State of Local Emergency" in the event of an emergency affecting the limits of the Town of Southwest Ranches, when the Administrator, in his or her sole judgment determines that the magnitude and extent of damages will necessitate outside assistance.

Section 2: The Town Administrator is granted such authority as may be necessary to direct and coordinate the development of the emergency management mitigation, preparedness and response operations, as well as performance of public work and to take such other actions as may be deemed necessary and appropriate to protect the safety, health and welfare of the residents.

Section 4: CONFLICTS. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 5: SEVERABILITY. If any portion of this Ordinance is determined by any Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of this Ordinance. If any Court determines that this Ordinance, or any portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstance(s), such determination shall not affect the applicability hereof to any other individual, group, entity, property or circumstance.

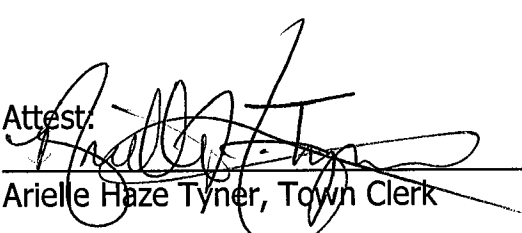
Section 6: INCLUSION IN CODE. It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Town of Southwest Ranches Code; and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 7: EFFECTIVE DATE. This Ordinance shall be effective immediately upon its adoption.

PASSED ON FIRST READING this 9th day of May, 2002.

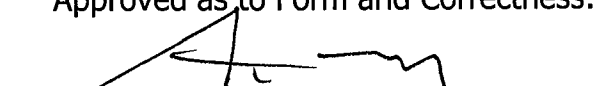
PASSED AND ADOPTED ON SECOND READING this 13th day of June, 2002.

Attest:


Arielle Haze Tyner, Town Clerk


Mecca Fink, Mayor

Approved as to Form and Correctness:


Gary A. Poliakoff, J.D., Town Attorney

712112_1.DOC