



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		December 18, 2012		
Department:		Emergency Management		
Department Head		Ronald Timmons		
Agenda Coordinator (include phone #): <b>Trang Tran   x7930</b>				
<b>CAPTION</b>				
An Ordinance of the City of Plano, Texas, amending Sections 2-136 through 2-155 of Article VI. Emergency Management of Chapter 2 Administration of the City of Plano Code of Ordinances to revise the Comprehensive Emergency Management Plan; and providing a repealer clause, a severability clause, a penalty clause, a publication clause and an effective date.				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: <b>2012-2013</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	<b>0</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	0	0	<b>0</b>
BALANCE	0	0	0	<b>0</b>
FUND(s): <b>N/A</b>				
<b>COMMENTS:</b> This item has no fiscal impact. STRATEGIC PLAN GOAL:    An Ordinance for a Comprehensive Emergency Management Plan relates to the City's goal of a Safe Large City.				
<b>SUMMARY OF ITEM</b>				
An Ordinance of the City of Plano, to revise the Comprehensive Emergency Management Plan which outlines the City's response to disasters.				
List of Supporting Documents: Ordinance			Other Departments, Boards, Commissions or Agencies	

**An Ordinance of the City of Plano, Texas, amending Sections 2-136 through 2-155 of Article VI. Emergency Management of Chapter 2 Administration of the City of Plano Code of Ordinances to revise the Comprehensive Emergency Management Plan; and providing a repealer clause, a severability clause, a penalty clause, a publication clause and an effective date.**

**WHEREAS**, on November 8, 2004, by Ordinance No. 2004-11-4, the City Council of the City of Plano, Texas, adopted a Comprehensive Emergency Management Program for the City of Plano and its citizens, and

**WHEREAS**, the City has recently reviewed its existing Comprehensive Emergency Management Plan and has drafted a new 2012 plan to provide for effective operations in the event of a disaster or other emergency, and intends to periodically review the plan and make appropriate revisions to efficiently protect lives and the property of citizens; and

**WHEREAS**, the City Council finds that a comprehensive and progressive emergency management plan best serves the public and the City; and

**WHEREAS**, the City Council approves the 2012 Comprehensive Emergency Management Plan, and authorizes its update as required by State law.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:**

**Section I.** The City Council hereby amends Ordinance No. 2004-11-4, currently codified as Chapter 2, *Administration*, Article VI., *Emergency Management*, Sections 2-136 through 2-155 of the City of Plano Code of Ordinances, as follows:

Existing Section 2-136 is repealed and replaced with the following:

**“Sec. 2-136. Comprehensive Emergency Management Plan.**

The 2012 Comprehensive Emergency Management Plan, which provides for disaster mitigation, preparedness, response, and recovery and the means for its implementation, which is on file in the City Secretary’s Office and incorporated by reference, is hereby adopted as the Comprehensive Emergency Management Plan for the City.”

Existing Section 2-141 is repealed and replaced with the following:

**“Sec. 2-141 Violation of a Rule, Offense, or Order adopted under the Comprehensive Emergency Management Plan.**

Any violation by any person, firm, or corporation of the provisions or terms of an emergency executive order or proclamation issued under the “Authorities and References” or “Emergency Authorities” sections of the Comprehensive Emergency Management Plan shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.”

**Section II.** The City Council intends that this Ordinance, and every provision thereof, is severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

**Section III.** All provisions of the Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**Section IV.** Any violation by any person, firm, or corporation of the provisions or terms of an emergency executive order or proclamation issued under the “Authorities and References” or “Emergency Authorities” sections of the Comprehensive Emergency Management Plan adopted by ordinance shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

**Section V.** This Ordinance shall become effective immediately upon its passage and publication as required by law.

**DULY PASSED AND APPROVED** this the 18<sup>th</sup> day of December, 2012.

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Phil Dyer, MAYOR

ATTEST:

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Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

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Diane C. Wetherbee, CITY ATTORNEY