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ORDINANCE NO. 31

AN ORDINANCE IN RELATION TO CIVIL
DEFENSE: CREATING A CIVIL DEFENSE
OFFICE AS AN AGENCY UNDER THE MAYOR:
PRESCRIBING THE POWERS AND DUTIES
THEREOF, AND PROVIDING FOR IMMUNITY
FROM ACTIONS FOR DAMAGES.

BE IT ENACTED BY THE BOARD OF TRUSTEES
OF THE TOWN OF HILLROSE, MORGAN COUNTY,
COLORADO.

WHEREAS, there are existing and increasing possibilities of
the occurrence of disasters of unprecedented size and destructiveness
resulting from enemy attack, sabotage, or other hostile action; and

WHEREAS, it is desirable to insure that preparations of the
Town of Hillrose, Colorado, will be adequate generally to provide for
the common defense and to protect the public peace, health, and
safety, and to preserve the lives and property of the inhabitants
of the Town of Hillrose.

BE IT FURTHER ENACTED BY THE BOARD OF
TRUSTEES OF THE TOWN OF HILLROSE, COLO.

Section 1. There is hereby created and established as an agency
under the Mayor the Civil Defense Office under the direction of a
Director of Civil Defense. The Director of Civil Defense shall be
appointed by the Mayor and shall serve at the pleasure of the Mayor.

The Director of Civil Defense shall appoint deputies and other
staff members, and delegate such powers and duties within the means
at his disposal as he sees proper. The scope of the activities of
the Civil Defense Office shall be in accordance with the tenor of the
times.

Section 2. The Civil Defense Office shall be charged with the
duty of coordinating all civilian defense activities within the Town
of Hillrose and shall, in conformity with the rules and regulations
hereinafter provided for, do the following:

(a) Coordinate the activities of municipal and private agencies
cooperating in the defense program;

(b) Sponsor and carry out recruitment, instruction and training

of civilian auxiliary and volunteer service units in order to secure unity, balance, and coordination in a program for civilian defense;

(c) On behalf of the Town to negotiate with other municipalities and other governmental entities and may pledge the assistance and to work out such mutual aid agreements for reciprocal civil defense assistance as may be deemed necessary.

The scope of such mutual aid agreements may encompass all facets of the plans for civil defense and mutual aid or any part or parts of such plans, and the mutual aid agreements shall be signed by the Mayor of the Town of Hillrose and may pledge the assistance and cooperation of the Town of Hillrose to meet all contingencies of civil defense emergencies in return for like pledges from other governmental entities, as aforesaid.

(d) Perform such other functions as may be required in connection with the Federal, State, and City defense programs.

Section 3. The mayor of the Town of Hillrose shall have the power to promulgate, in writing, rules and regulations which shall be reasonably necessary for the purpose of carrying out the provisions of this ordinance.

Section 4. Immunity. Neither the Town nor any of its agencies thereof, nor, except in cases of willful misconduct, the agents, employees, or representatives of any of them, engaged in any civil defense activities, while complying with or attempting to comply with this ordinance or with any rules or regulations promulgated pursuant to the provisions of this ordinance, shall be liable for the death of or injury to persons, or damage to property, as a result of such activity. The provisions of this section shall not affect the right of any person to receive benefit to which he would otherwise be entitled under this ordinance, or under the Workmen's Compensation Law, or under any pension law, nor the right of any such person to receive any benefits or compensation under any Act of Congress, or any law of the State of Colorado relating to Civil Defense activities.

Section 5. It shall be unlawful for any person, firm, or corporation

to violate any provision of this ordinance, or any rule or regulation promulgated by authority hereof.

Section 6. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is for any reason held or decided to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases might be declared unconstitutional.

Section 7. Any person who shall fail to comply with, or shall violate any of the provisions of this ordinance, or any rules or regulations promulgated hereunder, or in any manner hinder its operation, shall, upon conviction, be fined in the sum of not more than three hundred dollars (\$300.00), or be imprisoned for a period not to exceed ninety (90) days; or be punished by both such fine and imprisonment. Each violation of this ordinance shall constitute a separate offense.

Section 8. In the opinion of the Board of Trustees, this ordinance is necessary for the immediate protection and preservation of the public health, safety, convenience, and general welfare, and it is enacted for that purpose, and shall be in full force and effect immediately after its passage and final publication.

Introduced and read this 7th day of May, A. D. 1951
Passed, adopted and approved this _____ day of _____,

A. D. 1951.

(Seal)

J. P. Beeson
Town Clerk

W. Schuler
Mayor