

Legislation Text

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Authorizing the Mayor, on behalf of the City, to execute a Mutual Aid Agreement by and between the City of Philadelphia and the State of New Jersey, under certain terms and conditions.

WHEREAS, pursuant to the Emergency Management Services Code, 35 Pa. C.S.A. §7101, *et seq.*, hereinafter the “Code,” the Coordinator of each local emergency management organization shall develop Mutual Aid Agreements with similar agencies in other states for reciprocal disaster emergency services including emergency response and recovery; and

WHEREAS, 53 Pa.C.S. § 2301 *et seq.* authorizes intergovernmental cooperation between a local government and similar entities located in another state, in the exercise or in the responsibilities of their respective governmental functions, powers or responsibilities, upon passage of an Ordinance by its governing body; and

WHEREAS, NJ OEM is the New Jersey agency responsible for the preparation of emergency disaster plans for New Jersey, the interagency coordination of the response to such disasters and other emergencies, and is authorized to enter into mutual aid agreements with other States pursuant to N.J.S.A. App. A:9-59, *et seq.* ; and

WHEREAS, the States of Pennsylvania (“Pennsylvania”), and New Jersey have entered into an Interstate Civil Defense and Disaster Compact, as set forth in 35 Pa.C.S. § 7111, and N.J.S.A. 38A:20-3 (“Civil Defense Compact”), and an Emergency Management Assistance Compact, as set forth in Pennsylvania Law 35 Pa C.S. § 7601 *et seq.* and N.J.S.A. 38A:20-4 (“EMAC”), providing for mutual aid in the event of any emergency or disaster, including one resulting from natural disaster or enemy attack; and

WHEREAS, this Agreement is not intended to affect the authority of officials of the City of Philadelphia or the State of New Jersey or the political subdivisions thereof pursuant to the Civil Defense Compact, EMAC or any other law authorizing the chief executives of such states or political subdivisions to exercise emergency powers, but the mutual aid procedures set forth herein are intended to be available for use by such officials when acting pursuant to such powers; and

WHEREAS, the parties hereto wish to establish procedures and protocols for the provision of mutual aid assistance in the prevention of terrorism and the response to natural and man-made disasters, and to ensure the availability and proper coordination of mutual aid resources in the event of an emergency or disaster, catastrophic event or mass casualty incident; and

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The Mayor, on behalf of the City, is hereby authorized to execute a Mutual Aid Agreement with the State of New Jersey, substantially in the form attached hereto as Exhibit “A”, with such changes as the City Solicitor deems necessary or desirable to protect the interest of the City.

SECTION 2. The Chief Clerk of Council shall keep on file and make available for public inspection all exhibits to this Ordinance.

