

CHAPTER 6

EMERGENCY MANAGEMENT

Table of Contents

| | |
|------|---|
| 6.01 | Policy and Purpose |
| 6.02 | Definitions |
| 6.03 | Emergency Management Oversight Committee |
| 6.04 | Local Emergency Planning Committee |
| 6.05 | Emergency Management Director |
| 6.06 | Costs |
| 6.07 | Duties of the Emergency Management Director |
| 6.08 | Utilization of Existing Services and Facilities |
| 6.09 | National Incident Management System (NIMS)/Incident Command System. |
| 6.10 | Emergency Bidding and Hiring. |
| 6.11 | Debris Removal on Private Property |
| 6.12 | Other Emergencies |
| 6.13 | Declaration of Emergencies |
| 6.14 | Penalties |

6.01 Policy and Purpose. (1) ORGANIZATION CREATED. To prepare the County and its subdivisions to cope with emergencies resulting from a disaster, or the imminent threat of a disaster, it is declared to be necessary to establish an organization for emergency management, to carry out the purposes set out in Section 323.01 of the Wisconsin Statutes. [History: cr. 8/97-3A; rev. 8/02-6A]

6.02 Definitions. As used in this chapter, the following terms mean:

(1) *Disaster.* Means a severe or prolonged, natural or human-caused, occurrence that threatens or negatively impacts life, health, property, infrastructure, the environment, the security of Vilas County or a portion of Vilas County, or critical systems, including computer, telecommunications, or agricultural systems.

(2) *Emergency Management.* Means all measures undertaken by or on behalf of Vilas County and its subdivision to do any of the following:

(a) Prepare for and minimize the effect of a disaster or the imminent threat of a disaster.

(b) Make repairs to or restore infrastructure or critical systems that are destroyed or damaged by a disaster.

(3) *Enemy Action.* Any hostile action taken by a foreign power, which threatens the security of Vilas County, the State of Wisconsin, or the United States.

(4) *Emergency Planning.* Includes emergency management planning and means all measures undertaken by or on behalf of the County and its subdivisions to:

(a) Prepare for and minimize the effect of enemy action and natural or manmade disasters upon the civilian population;

(b) Deal with the immediate emergency conditions which could be created by such action or disaster; and

(c) Effectuate emergency restoration of vital public utilities and facilities destroyed or damaged by such action or disaster.

(5) *Incident Command System (ICS).* A functional management system established to control, direct and manage the roles, responsibilities and operations of all the agencies involved in a multi-jurisdictional or multi-agency emergency response. [History: cr. 6/05-5A]

(6) *Municipalities.* Town, village or city.

(7) *National Incident Management System (NIMS).* A system that provides a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity. [History: cr. 6/05-5A]

6.03 Emergency Management Oversight Committee. (1) The Emergency Management Oversight Committee shall be the Law Enforcement and Emergency Management Committee (LEEMC) (5 County Board members, appointed by the County Board Chair and subject to approval by the County Board).

(2) The LEEMC shall be an advisory and planning group with regard to emergency management issues and shall advise the Emergency Management Director and the County Board on all matters pertaining to

emergency management. It shall meet upon the call of the Chair of the Committee. [History: cr. 8/97-3A; rev. 8/02-6A; rev. 2005-1A;]

6.04 Local Emergency Planning Committee.

(1) There is created the Vilas County Local Emergency Planning Committee with the powers and duties established for such committees under 42 USC 11000 to 11050 and under Sections 59.54(8)(a), 323.60 and 323.61 of the Wisconsin Statutes.

(2) The County Board Chair, subject to confirmation by the Vilas County Board of Supervisors, shall make membership recommendations to the state emergency response commission. Appointments to the local emergency planning committee shall be made by the state emergency response commission under 42 USC 11001(301).

(3) The membership of the Local Emergency Planning Committee shall be in accordance with State of Wisconsin requirements. At least one member of the committee shall be a member of the Vilas County Board of Supervisors. As required by Wisconsin Emergency Management, the emergency management director shall be a member. There shall also be at least one representative from each of the following groups: State and local officials, law enforcement, fire service, emergency medical service, health community, transportation personnel, environmental, the media, and representatives from facilities subject to 42 USC 11001-11050, the emergency planning and community right-to-know legislation.

(4) Citizen members shall receive no compensation or mileage allowance or reimbursement for other expenses incurred in the performance of their duties. Vilas County board members shall receive the same per diem for attendance as other county bodies and the same mileage and expense allowance.

(5) The Vilas County Department of Emergency Management shall provide such staff assistance as may be required to carry out the functions of the Local Emergency Planning Committee.

(6) The Local Emergency Planning Committee is authorized to apply for emergency planning grants up to \$5,000.00, with no matching funds, for reimbursement of expenses. Such reimbursements shall be administered by the

department of emergency management in a separate cost account division.

(7) The Local Emergency Planning Committee shall develop a comprehensive hazardous materials response plan. The committee shall make recommendations and advise the Vilas County Board of Supervisors and the board's designated standing committee on matters pertaining to hazardous materials emergency planning and response. [History: cr. 8/97-3A; rev. 8/02-6A;]

6.05 Emergency Management Director. (1)

TENURE, TERM AND APPOINTMENT.

(a) The Emergency Management Director shall be a full-time position within the Vilas County Sheriff's Department. The salary and benefits of the Director and members of his or her staff shall be set from time to time by the County Board.

(b) The Emergency Management Director shall serve at the pleasure of the County Board.

(c) The Emergency Management Director shall be appointed in accordance with the standard employment procedures used by the County Board.

(d) The provisions of §323.15, Wis. Stats., relating to personnel shall apply to the Director and his or her staff. [History: cr. 8/97-3A; rev. 8/02-6A; rev. 2005 1-A;]

6.06 Costs. (1) The County Board shall provide offices, office furniture, and such office supplies as may be necessary to carry out the functions of the Emergency Management Director and the cost thereof shall be defrayed by the County with the help of available public and/or private funds.

(2) Costs of major equipment and services shall be borne 100% by the County with other public and/or private funds procured by the County when available. [History: cr. 8/97-3A; rev. 8/02-6A]

6.07 Duties of the Emergency Management Director. Subject to the control and direction of the LEEMC and under the general supervision of the County Board, the Director shall:

(1) Develop and promulgate emergency plans for the County, including planning compatible with the State Emergency Response Plan.

(2) Coordinate and assist in the development of non-joint action municipal emergency government plans within the County, and integrate such plans with the County plans.

(3) Direct the County's emergency management programs.

(4) Direct County-wide emergency management training programs and exercises.

(5) Advise the State Administrator of all emergency management planning for the County and render such reports as may be required.

(6) In case of a state of emergency proclaimed by the Governor or the County, direct the County emergency management services and activities and coordinate the non-joint action municipal emergency management activities within the County, subject to the coordinating authority of the State Administrator.

(7) Perform such other duties relating to emergency management as may be required by the County Board. [History: cr. 8/97-3A; rev. 8/02-6A; rev. 2005 1-A;]

6.08 Utilization of Existing Services and Facilities. (1) POLICY. In preparing and executing the Emergency Management Program, the services, equipment, supplies and facilities of the existing departments and agencies of the County shall be utilized to the maximum extent practicable; and the officers and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities as are needed or required.

(2) RESPONSIBILITY. (a) In order to assure that, in the event of an emergency, all the facilities of the existing County government are expanded to the fullest to meet such emergency, the following specific responsibilities are assigned to the following department heads named as Coordinators of Emergency Management Services. The Emergency Management Director will assist them in organizing and planning for the expansion of their departments prior to and during an emergency and for recruiting necessary emergency management volunteers to supplement regular department employees:

1. *Sheriff*: Coordinator of Police Services.

2. *Highway Commissioner*: Coordinator of Engineering Services.

3. *County Clerk*: Coordinator of Supply Services.

4. *Director of Social Services*: Coordinator of Emergency Welfare Services.

5. *County Coroner*: Coordinator of Mortuary Services.

6. *District Attorney*: Coordinator of Intelligence.

7. *Public Health Director*: Coordinator of Public Health Services.

(b) Other department heads not specifically named will fulfill emergency and non-emergency duties as assigned under the County Emergency Operations Plan. Nothing in this section shall be construed so as to limit the Emergency Management Director from immediately commencing organizational and planning programs as required by the State Emergency Response Plan.

(3) JOINT ACTION. Municipalities entering into joint action with Vilas County will provide for utilization of existing services of their municipal government by enactment of an ordinance parallel to this section. [History: cr. 8/97-3A; rev. 8/02-6A]

6.09 National Incident Management System (NIMS)/Incident Command System. (1) Vilas County will comply with the National Incident Management System (NIMS) requirement in all phases (i.e., preparedness, response, recovery, and mitigation) of its emergency management program, as detailed by the federal and state government, in order to facilitate an effective and coordinated emergency management system and in order to remain eligible for funding.

(2) Vilas County adopts the approved Incident Command System (ICS) for use in all emergency operations. The Vilas County Emergency Management Director shall provide county and municipal agencies with the information necessary to aid each entity with complying with the NIMS requirement(s). County and municipal agencies are individually responsible for ensuring their respective agency compliance. [History: cr. 6/05-5A]

6.10 Emergency Bidding and Hiring. (1) In order to meet the needs of the public in a county-declared emergency efficiently and effectively while still meeting the federal

guidelines for competitive purchasing, requests for contractors may be released in the most expeditious form of legal notice and the open period may close no less than **three** days after the request is publicly released. The County will review the submissions for both price and quality to select a bidder. In order to achieve economies of scale or to simplify the bidding process, municipalities may, at the time of disaster, submit a written letter requesting that the County hire contractors on the municipality's behalf. The municipality will remain responsible for the costs of their portion of the contract unless other arrangements have been agreed to in writing beforehand by all necessary parties.

(2) The County may implement, with the concurrence of the County Board Chairperson or designee, an expedited hiring process in order to bring into County service temporary employees and/or independent contractors that may be needed on a limited-term basis specifically to aid in the recovery from a County-declared emergency. In a formally declared County emergency, this provision of the ordinance supersedes existing County policy, resolution or ordinance in order to expedite the hiring and/or bidding process(es) only during the specifically declared event. If the County Board Chairperson is not available for approval, the First Vice-Chairperson, the Second Vice-Chairperson of the Board or the Sheriff (respectively) may approve the implementation of this process. [History: cr. 6/05-5A]

6.11 Debris Removal on Private Property. (1) POLICY. The County will not provide debris removal services from private property. Municipalities may provide these services at their discretion.

(2) RESPONSIBILITY OF COUNTY EMERGENCY MANAGEMENT DIRECTOR. The Director is hereby authorized to execute for, on behalf of the County of Vilas, a public entity established under the laws of the State of Wisconsin, any application, and to file it in the appropriate state office for the purposes of obtaining certain federal assistance under United States PL 93-288.

(3) RESPONSIBILITY OF COUNTY HIGHWAY COMMISSIONER. The Highway Commissioner shall:

(a) Have the responsibility for rural areas and those areas presently under the control of the Vilas County Highway Commissioner, with authority to delegate control to departments of public works, engineering or street departments in municipalities of the County.

(b) Maintain inventories of engineering equipment of municipalities within the County.

(c) Establish liaison with private contractors for possible utilization of their engineering equipment under the provisions of United States PL 93-288.

6.12 Other Emergencies. (1) NATURAL OR MANMADE DISASTER. In the event of a natural or manmade disaster, the Emergency Management Director will coordinate with the municipalities affected and render such assistance as is required and available from County resources.

(2) EMERGENCY USE OF VEHICLES. In any state of emergency, when an individual is responding to an official request for help during such emergency, any person may operate any vehicle within Vilas County without regard to motor vehicle registration laws or being subject to arrest under the provisions of Section 341.01, Wis. Stats., or any ordinance adopted by Vilas County incorporating the provisions of said Wisconsin Statute. [History: cr. 8/02-6A]

(3) RED CROSS AND SALVATION ARMY NOT AFFECTED. Nothing contained in this chapter shall limit or in any way affect the responsibility of the American Red Cross as authorized by the Congress of the United States, nor the activities and responsibilities of the Salvation Army as prescribed in their constitution and by-laws in the assumption of their commitment to ease the burdens of the general public in the time of distress and disaster. [History: cr. 8/97-3A; rev. 8/02-6A]

6.13 Declaration of Emergencies. In the event of a riot or civil commotion, a disaster, or an imminent threat of a disaster, that impairs transportation, food or fuel supplies, medical care, fire, health or police protection, or other critical systems of the local unit of government an Emergency Declaration for Vilas County

shall be made as authorized in Section 323.11 of the Wisconsin Statutes. Those authorized to make such a declaration include the Chairperson of the County Board, the First Vice-Chairperson of the Board, the Second Vice-Chairperson of the Board, and the Sheriff. Any expenditures for services rendered in participating municipalities shall be paid by such municipalities. No such declaration of emergency issued by a local authority shall extend beyond 60 days as to emergencies resulting from enemy action or 30 days as to emergencies resulting from natural or man-made disasters unless extended by appropriate action of the Vilas County Board of Supervisors. [History: cr. 6/05-5A]

6.14 Penalties. No person shall willfully obstruct, hinder or delay any member of the emergency management organization in the enforcement of any order, rule, regulation or plan issued pursuant to this chapter or do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this chapter. For a violation of any of the provisions of this chapter, the person shall forfeit not less than \$100 nor more than \$500, and in default of payment thereof, shall be imprisoned in the County jail for a period not exceeding 90 days. [History: cr. 8/97-3A; rev. 8/02-6A]