

EMERGENCY MANAGEMENT POLICIES FOR OZAUKEE COUNTY

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1.01 Policy and Purpose.

(1) To ensure that the County of Ozaukee will be prepared to cope with emergencies resulting from man-made and natural disasters, an Emergency Management Organization is created to carry out the purposes set out in Chapter 166 of Wisconsin Statutes.

(2) Definitions. As used in this ordinance:

(a) Emergency Management includes "civil defense" and means all measures undertaken by or on behalf of the State and its subdivisions:

1. To prepare for and minimize the effect of enemy action and natural or man-made disaster upon the civilian population.

2. To effectuate emergency repairs to, or the emergency restoration of, vital public utilities and facilities destroyed or damaged by such action or disaster.

(3) "Civil defense" means all measures undertaken by or on behalf of the State and its subdivisions to prepare for and minimize the effect of enemy action upon the civilian population.

(4) "Enemy action" means hostile action by a foreign power which threatens the security of this State or portion thereof.

1.02 County Emergency Management Director.

(1) Director. There is hereby created the Office of County Emergency Management Director.

(2) Salary, Term, Appointment and Statutory Provision.

(a) Salary. The salary of the Director and members of his staff shall be as determined by the County Board.

(b) Appointment. The Emergency Management Director shall be appointed by the Public Safety Committee subject to approval by the County Board.

(c) Statutory Provision. The provisions of Sec. 166.03 (8), Wis.Stats., relating to personnel, shall apply to the selection of the Director and his or her staff.

(3) Status. The County Emergency Management Director shall be considered an employee of the county not under civil service and shall be entitled to all of the rights, privileges and benefits that county employees have. He shall report to the Public Safety Committee.

(4) Deputy County Emergency Management Director.

(a) The Public Safety Committee may appoint two individuals to act as Deputy County Emergency Management Directors.

(b) The powers and duties of said Deputies shall be the same as the County Emergency Management Director during periods the Director is absent or unavailable.

(c) The Deputies shall serve without compensation.

1.03 Sharing of Costs.

(1) Office and Staff. The Ozaukee County Board shall provide offices, office furniture, stenographic help and such office supplies as may be necessary to carry out the functions of the County Emergency Management Director.

(2) Major Equipment and Services. Costs of equipment and services shall be borne 100 per cent by the municipal government requiring such procurement with Federal matching funds procured by the County Director when applicable. Federal matching fund reimbursements shall be returned to the Treasurer of the municipality procuring the equipment or services.

1.04 Emergency Vehicle Designation.

(1) The vehicle(s) assigned to the Department of Emergency Management is hereby designated as an authorized emergency vehicle as those are defined by Wisconsin law. Said vehicle(s) shall be equipped as required under Sec. 346.03 (3) of the Wis. Stats. and granted emergency privileges when responding to an emergency as designated under Sec. 346.03 (1-2) Wis. Stats.

1.05 Duties of the County Emergency Management Director.

(1) County-Wide Duties. The Director, in his capacity as County Director, subject to the control and direction of the Public Safety Committee and under the general supervision of the County Board shall:

(a) Develop and promulgate emergency management plans for the county consistent with the State plan of emergency management;

(b) Assist in the development of municipal emergency management plans within the county, and integrate such plans with the county plan;

(c) Direct the county emergency management programs;

(d) Direct county-wide emergency management training programs and exercises;

(e) Advise the state of all emergency management planning in the county and submit such reports to the Adjutant General as may be required.

(f) Direct and coordinate emergency management activities throughout the county during a state of emergency.

(g) Perform such other duties relating to emergency management as may be required by the County Board.

(h) In cooperation with the Captain of the Ozaukee County Water Safety Patrol Unit, supervise and direct the administration of the Ozaukee County Water Safety Patrol Unit.

(i) During the continuance of an emergency proclaimed by the governor, contract with any person to provide equipment and services on a cost basis to be used in disaster relief.

1.06 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 officer and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities as are required of them.

1.07 Other Emergencies.

(1) The County Board may declare, by resolution, a state of emergency for Ozaukee County or any portion thereof if the County Board determines that an emergency resulting from enemy action or natural or man-made disaster exists. The duration of such state of emergency shall not exceed 60 days as to an emergency resulting from enemy action or 30 days as to emergencies resulting from natural or man-made disasters, unless either is extended by resolution of the County Board of Supervisors. The duration of a declared state of emergency may not exceed the length of time beyond when emergency conditions exist. A copy of the resolution shall be filed with the Governor. The resolution may be revoked at the discretion of the County Board Chairperson, or in his/her absence, the Vice Chairperson of the County Board, or in his/her absence, the 2nd Vice Chairperson of the County Board by written order or the County Board of Supervisors by resolution.

(a) Emergency conditions include, without limitation because of enumeration: conditions arising by reason of war, conflagration, flood, heavy snow storm, blizzard, catastrophe, disaster, riot, civil commotion, acts of God and conditions which impair transportation, food or fuel supplies, medical care, fire, health, or police protection or other vital facilities of the County.

(b) If, because of such emergency conditions, the County Board is unable to meet with promptness, the County Board Chairperson, or in his/her absence, the Vice Chairperson of the County Board, or in his/her absence, the 2nd Vice Chairperson of the County Board, shall exercise by proclamation all of the powers enumerated above conferred upon the County Board. Such proclamation shall be confirmed by resolution of the County Board at the next regularly scheduled meeting.

(c) The emergency powers conferred herewith include the general authority to order, by ordinance, resolution or proclamation, whatever is necessary and expedient for the health, safety, welfare and good order of the County during such emergency.

(d) To facilitate recovery following a disaster, the County Board Chairperson, or in his/her absence, the Vice Chairperson of the County Board, or in his/her absence, the 2nd Vice Chairperson of the County Board may suspend required permits, price controls or other restrictions pursuant to the authority granted under Sects. 59.03 (1) and (2), 59.04 and 166.23 Wis. Stats. This includes requirements that any public work (repair and reconstruction) estimated to cost over \$20,000 has to be let by contract to the lowest bidder (per Sect. 59.52 (29)(a) Wis. Stats.) is not mandatory when (per Sect. 59.52 (29)(b) Wis. Stat.) damage or threatened damage thereto creates an emergency, as determined by resolution of the County Board, in which the public health or welfare of the County is endangered. Whenever the County Board, by majority vote at a regular or special meeting, determines that an emergency no longer exists, this subsection no longer applies.

(2) During a state of emergency, the County Board Chairperson, or in his/her absence, the Vice Chairperson of the County Board, or in his/her absence, the 2nd Vice Chairperson of the County Board, may declare priority of emergency management contracts over other contracts, allocate materials and facilities in his or her discretion, and take, use and destroy private property for emergency management purposes. Such taking, use or destruction shall be in the name of Ozaukee County, unless the emergency is declared by the Governor, in which case the taking, use or destruction shall be in the name of the State. Records shall be kept of such action and such records shall be evidence of a claim against the County or State as provided above. Any such claim shall be referred to the County Board or to the State of Wisconsin as provided in state statutes.

(3) During a state of emergency, the County Board Chairperson, or in his/her absence, the Vice Chairperson of the County Board, or in his/her absence, the 2nd Vice Chairperson of the County Board, may issue such orders as he/she deems necessary for the security of persons and property.

(4) During a state of emergency, the County Board Chairperson, or in his/her absence, the Vice Chairperson of the County Board, or in his/her absence, the 2nd Vice Chairperson of the County Board, may contract on behalf of the county with any person to provide equipment and services on a cost basis to be used in disaster relief.

(5) Penalties. It shall be unlawful for any person willfully to obstruct, hinder or delay any member of the emergency management organization in the enforcement of any order, rule, regulation or plan issued pursuant to the authority contained in this ordinance. Whoever intentionally fails to comply with the directives of emergency management authorities promulgated under this section or Chapter 166, of the Wisconsin Statutes, during a state of emergency or during any training program or exercise shall, upon conviction, be subject to a forfeiture of not more than \$200.00, together with the costs of prosecution.

#### 1.08 Ozaukee County Water Safety Patrol Unit.

(1) Creation. There is hereby created an emergency management unit hereinafter referred to as the Ozaukee County Water Safety Patrol Unit.

(2) Purpose. The purpose of the Ozaukee County Water Safety Patrol Unit is as follows:

(a) Function as the Ozaukee County Water Safety Patrol Unit to operate all marine rescue and patrol vessels, equipment and related communications equipment owned or under the control of Ozaukee County.

1. These vessels are designated as duly authorized patrol boats under the provisions of Sec. 30.64 (1) Wis. Stats.

(b) The Water Safety Patrol is authorized to operate within the territory of Lake Michigan bounded by the latitudes of the north and south county lines and the center line of the lake. The Water Safety Patrol may operate beyond this territory only upon authorization of the Director of Emergency Management, a Deputy Director of Emergency Management or the County Board Chairperson.

(c) Provide Ozaukee County with specialized equipment and trained personnel to cope with man-made disasters, natural disasters and other emergencies and to respond to calls for assistance from any duly established Ozaukee County fire, police or rescue unit.

(d) Respond to calls for assistance made by any duly authorized official from outside the boundaries of Ozaukee County, upon authorization of the Director of Emergency Management, a Deputy Director of Emergency Management or the County Board Chairperson.

(3) Composition. The Ozaukee County Water Safety Patrol Unit shall consist of no less than ten (10) nor more than twenty (20) part-time members who shall be considered employees of Ozaukee County when called to duty under the provisions of this Ordinance. The unit shall be supervised by one (1) captain and two (2) lieutenants.

(a) The Director and Deputy Directors of Emergency Management are not included in the above maximum membership.

(4) Compensation. When called to duty under this Ordinance, employees shall be compensated at a rate established by the Ozaukee County Board of Supervisors.

(5) Duties. The duties of the Ozaukee County Water Safety Patrol Unit, subject to the direction and control of the Public Safety Committee through the Director of Ozaukee County Emergency Management, shall be:

(a) Protect public rights in the navigable waters of Lake Michigan, promote public health, safety and welfare and the prudent and equitable use of the navigable waters of Lake Michigan and conduct search and rescue operations.

(b) Perform and assist in emergency operations when called to duty.

(c) Perform such other duties, which may include the maintenance of equipment, as prescribed by the Director of Ozaukee County Emergency Management.

(6) Administration. The Ozaukee County Water Safety Patrol Unit shall be administered through the Office of Emergency Management. All purchases, records and inventory shall be under the control of said office.

(7) Personnel. A member of the Ozaukee County Water Safety Patrol Unit, being considered an employee of Ozaukee County when called to duty under this Ordinance, shall register with the Ozaukee County Human Resources Director. Replacement personnel shall be hired by and with the approval of the Captain of the Water Safety Patrol Unit and the Director of Emergency Management.