

## CHAPTER 6

### EMERGENCY GOVERNMENT (Rep. & recr. #377)

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|------|--|
| 6.01 | Emergency Management Director                    |
| 6.02 | Emergency Management Board                       |
| 6.03 | Emergency Management                             |
| 6.04 | Utilization of Existing Services and Facilities  |
| 6.05 | Declarations of Emergency                        |
| 6.06 | Emergency Regulations                            |
| 6.07 | Mutual Aid Agreements                            |
| 6.08 | Identification Cards                             |
| 6.09 | Continuity of Government                         |
| 6.10 | Obstruction of Emergency Management Organization |
| 6.11 | Penalty  |

6.01 EMERGENCY MANAGEMENT DIRECTOR (Rep. & recr. #377)

1. APPOINTMENT TO SERVE MUNICIPALITIES. The Director of Emergency Management shall be the Fire Chief of Western lakes Fire District. The Director of Emergency Management shall serve the member municipalities of the Western Lakes Fore District, which are the “Municipalities” for purposes of this Chapter 6 of this Code. The Municipalities on the date of adoption of this ordinance are the City of Oconomowoc, the Village of Dousman, the Village of Summit and the Town of Ottawa, but such membership may change from time to time.
2. CONDITIONS OF EMPLOYMENT. The Emergency Management Director shall receive no additional pay or compensation for this position as it is included in the compensation package as Fire Chief. The Emergency Management Director shall take and file an official oath.
3. ASSISTANT AND DEPUTY DIRECTORS. Assistant and Deputy Emergency Management Directors may be appointed by the Emergency Management Director, subject to the approval of the Emergency Management Board. Such appointees shall receive no additional compensation for these positions as these duties are part of the responsibilities of their position.
4. DUTIES AND AUTHORITY.
  - a. The Emergency Management Director shall be the executive head of the emergency management office and shall have direct responsibility for the administration and operation of the office of emergency management, subject to the direction and control of the Emergency Management Board. He/she shall coordinate all activities for emergency management within the Municipalities and liaison and cooperate with emergency management/government agencies and organizations of other political subdivisions and of the State and Federal Governments, shall participate in County and State emergency government activities upon request and shall have such additional authority, duties and responsibilities as may be determined by the Emergency Management Board, and participating Town Board, Village Boards and City Council.
  - b. The Emergency Management Director shall prepare a comprehensive general plan for the emergency management of the municipalities and present such plan to the Emergency Management Board for its approval before sending to the participating City Council, Village Boards, and Town Boards for final approval. All emergency government forces of the Municipalities shall perform the duties and functions assigned to them by the approved plan. The plan may be modified from time to time in a like manner.
  - c. The Emergency Management Director shall in cooperation with other municipal departments affected, organize, recruit and train any personnel that may be required on a volunteer basis to carry out the emergency

management plans of the Municipalities, County, State and conduct such test drills as authorized by the State.

## EMERGENCY GOVERNMENT 6.02

### 6.02 EMERGENCY MANAGEMENT BOARD

1. ORGANIZATION. The Emergency Management Board shall consist of the City Mayor, Town Chairman, and the Village President, of each municipalities that receive Emergency Management from the Western Lakes Fire District, Police Chiefs from each of the Municipalities served, Western Lakes Fire Chief, and a designee from the Fire District Board. The Board shall appoint one of the above representatives to serve as the chairman of the Board. The Emergency Management Director shall assign a representative to serve as secretary of the Board. The Emergency Management Director may establish working groups to complete operational objectives, planning, and training with approval of the Board.
2. The Emergency Management Board shall be an advisory and planning group and shall advise the participating Town Boards, Village Boards, and the City Council on all matters pertaining to emergency management. This information will be sent to the Village Clerk and shall be reported in annually at the joint fire district meeting or as needed. The Emergency Management Board shall meet upon the call of the director or chair.

### 6.03 EMERGENCY MANAGEMENT

1. POLICY AND PURPOSE.
  - a. "Emergency Management" is the managerial function charges with creating the framework to reduce municipal vulnerability to hazards and cope with disasters, consistent with the local government duties and powers described in Section 323.14, Wisconsin Statutes. Emergency Management seeks to promote safer, less vulnerable communities with the capacity to cope with hazards and disasters. Emergency Management protects communities by coordinating and integrating all activities necessary to build, sustain, and improve the capability to mitigate against, prepare for, respond to, and recover from threatened or actual natural disasters, acts of terrorism/unrest, or other man-made disasters.
  - b. By reason of the increasing possibility of disasters of unprecedented size and destructiveness, and to ensure that preparations will be adequate to cope with such disasters, to provide for the common defense, to protect the public peace, health, safety and general welfare and to preserve the lived and property of the people, it is hereby declared necessary;
    - i. To establish a local emergency management office;
    - ii. To provide for the exercise of necessary powers during emergencies;and

- iii. To provide for cooperation and mutual aid between the office of emergency management, municipalities, and other subdivisions.

## EMERGENCY MANAGEMENT 6.03

2. Further, it is the purpose of this chapter and the policy of the Village to coordinate all emergency management functions of the village, to the maximum extent practicable, with existing services and facilities of the Village and with comparable functions of the Federal, State and County government and other political subdivisions and of various private agencies to the end that the most effective preparation an use may be made of manpower, resources and facilities for dealing with any disaster that may occur.

### 6.04 UTILIZATION OF EXISTING SERVICES AND FACILITIES

In preparing and executing the emergency management plan, the Emergency Management Director shall utilize the services, equipment, supplies and facilities of the existing departments and agencies of the Municipalities to the maximum extent practicable. The officers and personnel of all such departments and agencies shall cooperate with the extend such services and facilities to the Emergency Management Director.

### 6.05 DECLARATION OF EMERGENCY

The emergency management organization shall act in accordance with the emergency management plan only after the declaration of emergency and issuance of official disaster warnings. Declarations of emergency shall be made by the Governor, at a local level by the Village Board or Village President; or in their absence, the Emergency Management Director with approval of the Emergency Management Board. Upon such declaration of emergency, the Emergency Management Director shall issue proclamations as to the existence of such state of emergency and shall issue such disaster warnings or alerts as are required in the emergency management plan. Such state of emergency shall continue until terminated by the issuing authority, providing any declaration not issued by the Governor may be terminated within the Village by the Village Board.

### 6.06 EMERGENCY REGULATIONS

Whenever necessary to meet an emergency for which adequate regulations have not been adopted, the Town Board, Town Chair, or in absence, the Emergency Management Director with approval of the Emergency Management Board may by proclamation, promulgate and enforce orders, rules and regulations relating to the conduct of persons and the use of property which are necessary to protect the public peace, health and safety, to preserve lives and property and to ensure cooperation in emergency management activities. Such proclamation shall be posted in 3 public places within the affected municipality. Such proclamation may be rescinded by the authority that issued the proclamation; or if issued by the Emergency Management Director, it may be rescinded within the Village by resolution of the Village Board.

### 6.07 MUTUAL AID AGREEMENTS

The Emergency Management Director may, subject to the approval of the Emergency Management Board, enter into mutual aid agreements with other political subdivisions.

Copies of such agreements shall be filed with the secretary of the State Department of Emergency Management.

## EMERGENCY MANAGEMENT 6.08

### 6.08 IDENTIFICATION CARDS

1. No person shall have or maintain any card or other device used to identify him/her as a representative of the emergency management office unless such person is a bona fide representative in good standing of the appropriate service of the emergency management office for which the card or device has been issued.
2. No person shall represent himself/herself as a member or representative of the emergency management office unless such person is a bona fide member.

### 6.09 CONTINUITY OF GOVERNMENT

1. Each Village officer and department head shall designate a successor and one alternate successor to perform his/her duties and exercise his/her powers only when such officer or department head is unable because of an emergency hereunder to attend to his/her duties and exercise his/her powers in person. Each Village officer and department head shall file with the Village Clerk and the Emergency Management Director a list showing the name and address of such successor and alternate successor.
2. During the absence of any Village officer or department head by reason of an emergency hereunder, such successor or alternate shall have all of the powers and perform all of the duties of the officer or department head who he/she replaces for the duration of the emergency.
3. Every Village officer and department head shall take steps toward the preservation of all records which he/she is bound to keep by law.

### 6.10 OBSTRUCTION OF EMERGENCY MANAGEMENT ORGANIZATION

Except as otherwise provided herein, any person found in violation of any provision of this chapter or any order, rule or regulation made hereunder shall be subject to a penalty as provided in Section 25.04 of this Municipal Code.

#### SECTION 2: CONTINUATION OF EXISTING PROVISIONS

The provision of this ordinance, to the extent that they are substantially the same as those of the ordinances in force immediately prior to enactment of this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinances. In addition, the adoption of this ordinance shall not affect any action, prosecution or proceeding brought for the enforcement of any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance for the time that such provision was in effect, and the repeal of any such provisions is stayed pending the final resolution of such actions, including appeals.

SECTION 3: SEVERABILITY

The several sections of this Ordinance are declared to be severable. If any section or provision thereof shall be declared by a court of competent jurisdiction to be valid, unlawful, or unenforceable, such declaration shall apply only to the specific section(s) or portion(s) thereof directly specified in said declaration, and shall not affect the validity of any other provisions, sections, or provisions of this Ordinance, which shall remain in full force and effect. Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

SECTION 4: INTERMUNICIPAL AGREEMENT

The Intermunicipal Agreement that formed the Western Lakes Fire District, as modified from time to time, is hereby amended upon the effective date described below, to authorize and direct the Fire Chief to serve as Emergency Management Director upon the terms described herein.

SECTION 5: EFFECTIVE DATE

This Ordinance, and the Intermunicipal Agreement amendment of Section 4, shall take effect immediately upon its passage and posting/publication as provided by law immediately upon the adoption of the substantially identical ordinances by all Member Municipalities. Upon this ordinance taking effect, the existing Chapter 6 of the Municipal Code is hereby repealed. This ordinance shall be interpreted as being a continuance of the prior ordinance with regard to all terms that are not explicitly modified herein.