

**POLICE AND EMERGENCY GOVERNMENT MANAGEMENT**

**3.01 STATE OF EMERGENCY**

- (1) The Town Board may declare a state of emergency for the Town of Neenah.
- (2) In the event of disaster, natural or manmade, if the Town Board cannot convene, any two (2) members of the Town Board may declare a state of emergency for the Town of Neenah. Such a state of emergency shall be in effect for a period of forty-eight (48) hours, during which time the Town Board shall convene to extend or terminate the state of emergency.
- (3) The Town Board constitutes the Emergency Management Committee of the Town.

**3.02 NATIONAL INCIDENT MANAGEMENT STANDARD**

The Town Board hereby adopts the National Incident Management Standard (NIMS) as the Town of Neenah standard for incident management of disasters and other emergencies within the Town.

**3.03 ADOPTION OF JOINT ACTION ORDINANCE**

- (1) A Joint Action Ordinance of the Board of Supervisors of Winnebago County providing for a County-Municipal Joint Action Emergency Government plan of organization was adopted by said County Board on the 19<sup>th</sup> of May, 1981. Said County Ordinance is incorporated as Section 3.04, Town of Neenah Municipal Code.
- (2) The ratification and acceptance of the Joint Action Ordinance shall constitute a mutual agreement between the Town of Neenah and Winnebago County as provided in said Joint Action Ordinance, in accordance with Chap. 323, Wis. Stats.
- (3) The County-Municipal Emergency Government Director, appointed and employed by the Winnebago County Board as provided in Chapter VI of said Joint Action Ordinance, is hereby designated and appointed Emergency Government Director for the Town of Neenah, subject to the conditions and provisions as set forth in the Wisconsin Statutes, and the Winnebago County Joint Action Ordinance.

**3.04 WINNEBAGO COUNTY EMERGENCY GOVERNMENT ORDINANCE**

- (1) **Policy and Purpose.** To ensure that Winnebago County will be prepared to cope with emergencies resulting from enemy action and with emergencies resulting from natural disasters, an Emergency Management Organization is created to carry out the purposes set forth in Chapter 323, Wis. Stats.

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(2) **Definitions**

- (a) "Enemy action" means any hostile action taken by a foreign power which threatens the security of the State of Wisconsin.
- (b) "Emergency management" means all those activities and measures designed or undertaken:
  - 1. To minimize the effects upon the civilian population caused or which would be caused by enemy action;
  - 2. To deal with the immediate emergency conditions which could be created by such enemy action; and
  - 3. To effectuate emergency repairs to, or the emergency restoration of vital public utilities and facilities destroyed or damaged by such enemy action.
- (c) "Natural disaster" means all other extraordinary misfortunes affecting the County, natural or man-made, not included in the term "enemy action".

(3) **County Emergency Management Committee**

- (a) **How Constituted.** In accordance with Chapter 323, Wis. Stats., the Winnebago County Board of Supervisors hereby designates its Judiciary and Public Safety Committee as the County Emergency Management Committee. The Chairperson of the County Emergency Management Committee shall be designated by the Chairman of the County Board.
- (b) **Duties.** Pursuant to Chapter 323, Wis. Stats., the County Emergency Management Committee shall have policy-making and rule-making powers in the establishment and development of County Emergency Government plans and programs.

(4) **County Municipal Emergency Management Director**

- (a) **Joint Director.** For the purpose of administering a county-wide program and to insure compatible emergency preparedness planning between the County and municipalities lying therein, there is created the office of County Emergency Management Director. The Director shall also perform similar duties and responsibilities in such municipalities of the County as may enact an ordinance parallel to this Chapter, as is permitted by Chapter 323 and Chapter 66.0301, Wis. Stats.
- (b) **Term, Appointment, and Statutory Provisions**
  - 1. **Term.** The term of the Director shall be at the pleasure of the County Executive subject to County Board concurrence and in accordance with standard employment procedures as used by the County.

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2. **Appointment.** The Director shall be appointed by the County Executive, subject to County Board concurrence and in accordance with standard employment procedures as used by the County.
3. **Statutory Provision.** The provisions of Chapter 323, Wis. Stats., relating to personnel shall apply to the Director and office staff.
4. **Deputies.** The County Executive may appoint deputies to the Director of Emergency Management to act in his stead as needed. Any deputies so appointed shall be considered employees of Winnebago County for purposes other than compensation, in accordance with Chapter 323, Wis. Stats.

(c) **Deputy Emergency Management Directors**

1. Each municipality passing a Joint Action ordinance with the County shall appoint a Deputy Emergency Management Director.
2. The Deputy shall operate under the administrative direction of the County Emergency Management Director.
3. Remunerations, if any, for the Deputy shall be determined and paid by the governing body of that Deputy's municipality.

(5) **Sharing of Costs**

- (a) **Office and Staff.** The County Board shall provide offices, furniture, stenographic help, and such office supplies as may be necessary to carry out the functions of the Director and the cost thereof shall be defrayed by the County through any available federal or state funds.
- (b) **Major Equipment and Services.** Cost of equipment and services, as well as other costs relating to the development of emergency preparedness programs not attributed to the administration of the program per se, shall be borne 100% by the municipal government requiring such procurement and services, provided, however, that any available federal or state funds to offset such costs shall be obtained by the Director whenever possible. Federal or state reimbursements shall be turned over to the treasurer of the procuring municipality.

- (6) **Joint Action Meetings.** Whenever it is deemed necessary by either the County Emergency Management Committee or the Emergency Management Committee of a municipality participating in joint action, there shall be a joint meeting of the committees to decide such matters as may arise. At such times as joint meetings are called, the meeting shall be chaired by the Chairman of the County Board.

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(7) Duties of the Directors

- (a) **County-Wide Duties.** The Director, in his capacity as County Director, subject to the control and direction of the County Executive and the County Emergency Management Committee, shall:
1. Develop and promulgate emergency plans for the County, including planning for joint action with municipalities, consistent with the State Emergency Operations Plan.
  2. Coordinate and assist in the development of non-joint action municipal emergency management plans within the County and integrate such plans with the County plan.
  3. Direct the County and joint action municipality emergency management programs.
  4. Direct county-wide emergency government management programs and exercises.
  5. Advise the State Administrator of all emergency management planning for the County and render such reports as may be required by the State Administrator.
  6. In case of a state of emergency proclaimed by the Governor, direct the County and joint action municipalities emergency management activities, under the County Executive and municipal heads of government, 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 Executive or Emergency Management Committee.
- (b) **Municipal Duties.** The Director in his capacity as Director for a municipality participating in joint action shall:
- (1) Direct the municipal emergency management organization.
  - (2) Develop, promulgate and integrate into the County plan emergency management plans for the operating services of the municipality.
  - (3) Direct participation of the municipality in such emergency management training programs and exercises as may be required on the County level or by the State Administrator.
  - (4) Direct the municipal emergency management training programs and exercises.

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- (5) Perform all administrative duties necessary for the rendering of reports and procurement of matching federal funds for each municipality requesting federal matching funds.
- (6) In the case of a state of emergency proclaimed by the Governor, direct the activities of the municipal emergency management organization under the municipal executive head of government and through the utilization of the municipality's appointed deputy director.
- (7) Perform such other duties relating to emergency management as may be required by the municipal governing body.

(8) **Utilization of Existing Services and Facilities**

- (a) **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 may be required from time to time.
- (b) **Responsibility.** 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, specific responsibilities may be assigned to Department Heads and other County employees pursuant to a County Plan which shall be approved by the Emergency Management Committee. In addition, the Director shall assist in recruiting necessary emergency management volunteers who shall assist and supplement regular County employees during a state of emergency.
- (c) **Joint Action.** Municipalities entering into joint action with the County shall provide for the utilization of existing services of municipal government by enactment of an ordinance parallel to this section of the County ordinance.

(9) **Other Emergencies**

- (a) **Joint Action Municipalities.** If the Governor determines that an emergency exists growing out of natural or man-made disasters, the Director shall activate and direct emergency management services at the appropriate level of government affected by the emergency through the appointed deputy of such municipality.
  - (b) **Non-Joint Action Municipalities.** In the event of a natural or man-made disaster, the Director shall coordinate the municipalities affected and render such assistance as is required and available from County Resources.
- (10) **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 of this chapter. A violation of any of

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the provisions of this chapter shall result in a forfeiture of not less than \$100 nor more than \$500.