

CHAPTER 42

EMERGENCY MANAGEMENT

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42.01 Purpose and Intent. (1) The purpose of this Ordinance is to prescribe, in accordance with Wis. Stat. ch. 166, the operations and authority of the Department and to establish the procedure for the declaration of an emergency in Sauk County to ensure that the county will be prepared to address emergencies resulting from enemy action, natural disaster or technological emergency.

(2) It is the intent of the County Board that all sections and provisions of this ordinance have an independent existence, and, should any section or provision be declared invalid or unconstitutional by a court of competent jurisdiction, it is the intent of the County Board that any section or provision so declared shall be severable from, and shall not affect the validity of, the remainder of this ordinance.

(3) This ordinance shall be effective in all unincorporated areas of Sauk County and any other incorporated municipality that has not passed an Emergency Management Ordinance consistent with Wis. Stat. ch. 166.

(4) Nothing in this ordinance shall prohibit or discourage the cities, towns and villages of Sauk County and the Department from entering into any intergovernmental contract regarding Emergency Management pursuant to Wis. Stat. § 66.0301.

42.02 Definitions. Unless specifically defined below, words and phrases used in this ordinance shall have the same meaning as they have at common law and to give this ordinance its most reasonable application. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word “may” is permissive, “shall” is mandatory and not discretionary. The terms “Emergency

Management”, “Emergency Government” and “Emergency Operations” shall be interchangeable and given the same meaning throughout this ordinance.

(1) **CIVIL DEFENSE.** All measures taken by or on behalf of the State and its subdivisions to prepare for and minimize the effect of enemy action upon the civilian population.

(2) **COUNTY BOARD.** The Sauk County Board of Supervisors.

(3) **DEPARTMENT.** The Sauk County Department of Emergency Management.

(4) **EMERGENCY.** Any event which threatens to, or actually does, inflict damage to property or people.

(5) **EMERGENCY MANAGEMENT.** All measures undertaken by or on behalf of the state and its subdivisions and includes **CIVIL DEFENSE**:

(a) To prepare for and minimize the effect of enemy action and natural or man-made disaster upon civilian population;

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

(6) **ENEMY ACTION.** Any hostile action taken by a foreign power and/or foreign or domestic terrorist organization which threatens the security of the United States of America and the State of Wisconsin.

(7) **GOVERNOR.** The Governor of the State of Wisconsin.

(8) **NATURAL DISASTER.** All other extraordinary misfortunes affecting the county whether natural, technological, or man-made and that are not included in the term “enemy action.”

42.03 Director and Deputy Director of Emergency Management. (1) Director of Emergency Management.

(a) Ordinance No. 71-88 is incorporated herein and as stated in that Ordinance, the position of Director of Emergency Management shall control, supervise, organize and direct all operations of the Department.

(b) The Director of Emergency Management shall have all powers and duties necessary to effectuate the Sauk County Emergency Operations Plan and any future powers delegated by the County Board.

(2) Deputy Director of Emergency Management.

(a) Ordinance No. 71-88 is incorporated herein and as stated in that Ordinance, the position of Deputy Director of Emergency Management shall assist the Director of Emergency Management in the supervision, organization and direction of all operations of the Department.

(b) The Deputy Director of Emergency Management shall have all powers and duties necessary to assist the Director in effectuating the Sauk County Emergency Operations Plan and any future powers delegated by the County Board.

42.04 Sauk County Emergency Operations Plan. The Department shall prepare and maintain an Emergency Management Plan entitled the "Sauk County Emergency Operations Plan" that is consistent with the principals stated in Wis. Stat. ch. 166 and approved by the County Board.

42.05 Declarations of Emergencies. (1) Who may declare an emergency.

(a) An Emergency can be declared in Sauk County by the Governor pursuant to Wis. Stat. § 166.03, the governing bodies of the cities, towns and villages pursuant to Wis. Stat. § 166.23, or by a majority of the County Board.

(b) If the County Board is unable to meet within a reasonable time to deal with the emergency, the County Board Chairperson is empowered to declare an emergency. If the County Board Chairperson is unavailable to declare such emergency, the Director of Emergency Management is empowered to declare an emergency.

(2) The issuing authority shall issue all necessary proclamations as to the existence of a state of emergency and shall issue such disaster

warnings or alerts as shall be required in the county Emergency Operations Plan.

(3) If any city, town or village in Sauk County declares an emergency and Sauk County does not, the Department may, upon request, assist the requesting city, town or village as necessary. Any expenditures for services rendered in response to such request shall be paid by the requesting municipalities unless other mutual aid agreements, contracts or other binding documents dictate differently.

(4) Such state of emergency shall continue until terminated by the issuing authority, except that any such declaration not issued by the Governor may be terminated at the discretion of the County Board by a majority vote.

(5) In the event the Governor, the County Board, the Chairperson of the County Board or the Director of Emergency Management determines that an emergency exists growing out of natural or man-made disasters, any expenditures for services rendered in participating municipalities shall be paid by such municipalities unless other mutual aid agreements, contracts or other binding documents dictate differently.

42.06 Emergency Ordinances. Whenever necessary to meet an emergency for which inadequate ordinances have been adopted by the County Board, the Chairperson of the Board and, in his or her absence, the Director of Emergency Management may proclaim, promulgate and enforce orders, rules and ordinances relating to the conduct of persons and the use of property which are necessary and expedient for the safety, welfare and good order of the county and to protect public peace, health and safety, and preserve lives and property, and to ensure the cooperation in emergency management activities. Such proclamation shall be posted in three (3) public places and may be rescinded by resolution of the County Board.

As adopted by the Sauk County Board of Supervisors on February 19, 2004 - Ordinance No. 20-04.