

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. § 323.14(3), 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 incorporated municipality that has not passed an emergency management ordinance in accordance with Wis. Stat. ch. 323.

(4) Nothing in this ordinance shall prohibit or discourage the cities, towns, and villages, or the department from entering into any intergovernmental agreement regarding emergency management pursuant to Wis. Stat. § 66.0301.

42.02 Definitions. Unless specifically defined under this section, words and phrases used in this ordinance shall have the same meaning as they have at common law and to give this ordinance it's 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" means all measures taken by or on behalf of the State of Wisconsin and its subdivisions to prepare for and minimize the effect of enemy action upon the civilian population.

(2) "County board" means the Sauk County Board of Supervisors.

(3) "Department" means the Sauk County Department of Emergency Management.

(4) "Emergency" means any event that inflicts damage or threatens to inflict damage to property or people.

(5) "Emergency management" means all measures undertaken by, or on behalf of, the county and includes "civil defense" as follows:

(a) To prepare for, and minimize, the effect of enemy action and natural or human-induced disasters upon persons and property;

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

(6) "Emergency operations plan" means the *Sauk County Emergency Operations Plan* that identifies the various county functions to be performed during an emergency.

(7) "Enemy action" means any hostile action taken by a foreign power or a foreign or domestic terrorist organization, or both, which threatens the security of Sauk County or a portion of Sauk County.

(8) "Governor" means the Governor of the State of Wisconsin.

(9) “Natural disaster” means all other extraordinary misfortunes affecting the county whether natural, technological, or human induced and that are not included in the term “enemy action.”

42.03 Emergency management staffing. (1) DIRECTOR OF EMERGENCY MANAGEMENT. (a) The director of emergency management shall control, supervise, organize, and direct all operations of the emergency management program and 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. The safety and risk manager, in addition to duties assigned within the safety risk management program, shall assist the emergency management director in effectuating the *Sauk County Emergency Operations Plan* and emergency management program as directed, and assume any future powers delegated by the county board.

(3) PROGRAM SPECIALIST. The program specialist shall assist the emergency management director and deputy director in all aspects of the emergency management program and department.

42.04 Emergency management committee. (1) The executive and legislative committee is designated as the emergency management committee, pursuant to Wis. Stat. § 323.14. The chairperson of the county board is the chairperson of the committee.

(2) The emergency management committee is delegated policy-making and rule-making authority for the implementation of Wis. Stat. ch. 323. The emergency management committee shall plan and execute activities in accordance with applicable legal authority. The emergency management committee shall be subject to the powers of the county board and shall comply with the personnel, purchasing, and budgeting rules established by the county board. The emergency management committee shall utilize the services of the administrative coordinator who shall exercise general supervision and control over the director and deputy director of emergency management.

42.05 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. 323 and approved by the county board.

42.06 Utilization of existing services and facilities. 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 departments and agencies are directed to cooperate with the emergency management director and to provide services and facilities as needed.

42.07 Issuing authorities who may declare an emergency. (1) WHO MAY DECLARE AN EMERGENCY. (a) An emergency may be declared in Sauk County by the Governor in accordance with Wis. Stat. § 323.10, the governing bodies of the cities, towns, and villages in accordance with Wis. Stat. § 323.11, or by a majority of the county board.

(b) In the event an emergency occurs within Sauk County at a time when the county board is unable to meet for the purpose of making a declaration of an emergency, in order to access state emergency resources, fix liability for emergency response costs, or authorize emergency repairs to county facilities, the following persons may declare a state of emergency:

1. In the event the county board is unavailable, the chairperson of the county board may declare a state of emergency.

2. In the event the chairperson of the county board is unavailable, the director of emergency management may declare a state of emergency.

(2) A declaration of an emergency shall be confirmed by resolution of the county board at its next regularly scheduled or special meeting.

(3) The issuing authority shall issue all necessary proclamations regarding the existence of a state of emergency and shall issue disaster warnings or alerts as shall be required in the *Sauk County Emergency Operations Plan*.

(4) 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 an assist request shall be paid by the requesting municipalities unless other mutual aid agreements, contracts, or other binding documents dictate differently.

(5) A state of emergency shall continue until terminated by the issuing authority, except that any declaration not issued by the Governor may be terminated at the discretion of the county board by a majority vote.

(6) In the event that 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 human-induced disasters, expenditures for services rendered in participating municipalities shall be paid by participating municipalities unless other mutual aid agreements, contracts, or other binding documents dictate differently.

42.08 Emergency ordinances. Whenever necessary to meet an emergency for which insufficient ordinances are in place, the chairperson of the county board and, in the chairperson's 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 cooperation in emergency management activities. The proclamation shall be posted in 3 public places, and it may be rescinded by resolution of the county board.

42.09 National incident management system and incident command systems. Sauk County shall comply with the National Incident Management System requirements in all phases of its emergency management program as detailed by the federal and state government. This compliance is in order to facilitate an effective and coordinated emergency management system and in order to remain eligible for funding. As part of becoming compliant with the national incident management system, Sauk County, in this section, adopts the approved incident command system for use in all emergency operations. The Sauk County Emergency Management Office will provide

county and municipal agencies with the information necessary to aid each entity with complying with the national incident management system requirements.

42.10 Emergency bidding and hiring. In order to meet the needs of the community in a county-declared disaster in a timely manner while still meeting the county 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 3 days after the request is publically 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 are detailed in writing beforehand. The county may also implement an expedited hiring process. The intent of this process is to bring into county service temporary employees that may be needed on a limited-term basis specifically to aid in the recovery from a county declared disaster. In a formally declared county disaster, this provision of the ordinance would supersede existing county policy, resolution, or ordinance in order to expedite the hiring and bidding process only during this specifically declared event. If the county board is not available for approval, the chairperson of the county board, county administrative coordinator, or the county emergency management director may approve the implementation of this process.

As adopted by the Sauk County Board of Supervisors on February 19, 2004 - Ordinance No. 20-04. Repealed and Recreated by the Sauk County Board of Supervisors on Dec. 16, 2014 - Ordinance No. 11 -14.