

CHAPTER 16

EMERGENCY MANAGEMENT

16.01 Emergency Management.

16.02 Financing of 9-1-1 Emergency Telephone System.

16.01 EMERGENCY MANAGEMENT

(1) **Policy and Purpose.**

- (a) To prepare Trempealeau County and its subdivisions to cope with emergencies resulting from a disaster, or the imminent threat of a disaster, it is necessary to establish protocol for emergency management, conferring upon the county board and others specified; the powers and duties provided by this ordinance and Chapter 323 of Wisconsin Statutes. Unless otherwise specified by law, the role of any county department or agency, including the Emergency Management Department, in an emergency declared under this chapter, is to assist local units of government and local law enforcement agencies in responding to, recovering from, planning for and mitigating against a disaster or the imminent threat of a disaster.

(2) **Definitions.** The following terms as used in this Ordinance shall, unless the context clearly indicates otherwise, have the following meanings:

- (a) “Board” means the Trempealeau County Board of Supervisors.
- (b) “Emergency Management Director” means a member of the Trempealeau County Sheriff’s Department, who shall, in addition to fulfilling assigned responsibilities, provide direction and control of Emergency Management during times of emergency or disaster.
- (c) “Emergency Management” means all measures undertaken by or on behalf of the county and its subdivisions to do any of the following:
 - (i) Prepare, plan for and mitigate against the effect of a disaster or the imminent threat of a disaster.
 - (ii) Make repairs to or restore infrastructure or critical systems that are destroyed or damaged by a disaster.
- (d) “Emergency” means a severe or prolonged, natural or human caused occurrence that threatens or negatively impacts life, health, property, infrastructure, the environment, the security of this county or a portion of this state.

- (e) “Disaster” means a severe or prolonged, natural or human caused, occurrence that threatens or negatively impacts life, health, property, infrastructure, the environment, that exceeds the County’s capability to respond to or provide the adequate resources or support and may require the additional assistance from state and federal agencies or traditional mutual aid partners.
- (f) “Adjutant General” means the Adjutant General of the Wisconsin Department of Military Affairs.
- (g) “Administrator of Emergency Management” means the Administrator of the Division of Wisconsin Emergency Management.

(3) Declaration of Emergency

- (a) The Chair of the County Board, the Emergency Management Director or the Director’s designee, may declare a local emergency.
- (b) Upon a declaration of emergency by the Governor or local authority, the Emergency Management Director shall take action in accordance with the county emergency management plan.
- (c) The Incident Command System shall be used by all Trempealeau County Emergency Response agencies during a declared state of emergency.

(4) County Emergency Management Committee

The Law Enforcement and Emergency Management Committee are designated as the Emergency Management Committee (Wis. Stats 323.14). The Law Enforcement and Emergency Management Committee shall be an advisory and planning group and shall advise the County Emergency Management Director and the County Board on all matters pertaining to emergency management. It shall implement a program of emergency management consistent with the State plan of emergency management. It shall meet upon call of the Committee Chair or County Board Chair.

(5) Local Emergency Planning Committee (LEPC)

- (a) In addition to the Emergency Management Committee set out in Section (4) above, there is also created a Local Emergency Planning Committee (LEPC) as provided for in Section 59.54(8) of the Wisconsin Statutes. This committee shall function as required by Federal regulations set out in 42 USC 11001(c) and 42 USC 11000-11050 and Wisconsin Statutes Section 323.60 and 323.61.
- (b) The LEPC shall consist of such persons, and shall be governed, as set out in its by-laws made effective 08.20.1996 (or amended thereafter) based upon requirements found in the above-stated laws.

- (c) The Community Emergency Coordinator, which must be appointed by the LEPC, shall be the person who has been chosen as the County's Emergency Management Director. If this position is vacant, the committee shall designate an interim Emergency Management Director to act as temporary coordinator.

(6) Emergency Management Director

- (a) The County Board shall designate an emergency management director. Compensation for the emergency management director shall be established by the county board and shall be considered to be an employee of the county, and shall be entitled to all of the rights, privileges and benefits that county employees have. Emergency management director shall report to the Trempealeau County Sheriff and Emergency Management Committee.
- (b) Duties and responsibilities of the Emergency Management Director (per Wis. Stats 323.14) shall be:
 - (i) Develop and promulgate emergency management plans for the County, including planning for joint action with municipalities consistent with the State plan of emergency management.
 - (ii) Coordinate and assist in the development of municipal emergency management plans within the County and integrate such plans with the County plans.
 - (iii) Direct the County and joint action municipality emergency management programs.
 - (iv) Direct countywide emergency management training and exercises.
 - (v) Advise the State Director of all emergency management planning for the County and render such reports as may be required by the State Director.
 - (vi) In case of a state of emergency proclaimed by the Governor, direct the County and joint action municipalities' emergency management activities and coordinate the municipal emergency management activities within the County, subject to the coordinating authority of the State director.
 - (vii) Perform such other duties relating to emergency management as may be required by the County Board.
 - (viii) Act as a Municipal Emergency Management Director as provided for in Chapter 323 of the Wisconsin Statutes and work in consultation with the Trempealeau County Local Emergency Planning Committee as the Emergency Information Coordinator and Community Emergency

Coordinator until such time as that Committee has revoked those responsibilities.

(7) Utilization of Existing Services and Facilities

- (a) 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 such departments and agencies are directed to cooperate with and extend such services and facilities as are required of them.
- (b) Municipalities entering into joint action with Trempealeau County will provide for utilization of existing services of municipal government by enactment of an ordinance parallel to this county ordinance.

(8) Trempealeau County Emergency Operation Plan (EOP)

Under the direction of the Board of Supervisors, the Emergency Management Director shall be responsible for ensuring the development and maintenance of the Trempealeau County Emergency Operation Plan, which shall provide for the effective mobilization of all of the resources of the county, both public and private, to meet any condition constituting a local emergency, state of emergency, natural or otherwise; and shall provide for the organization, powers and duties, and staff of the emergency organization.

- (a) *Compliance:* The plan shall comply with applicable local, state and federal planning criteria. The plan shall contain an analysis of the risks faced by the County, assign functional responsibilities to County agencies/departments and personnel, and assign lines of succession for the members of the emergency organization.
- (b) *Functional assignments:* The plan shall include the functions assigned to county agencies or departments and it shall be the responsibility of each agency director/department head to develop and maintain an agency/department plan to fulfill the roles and responsibilities in the County Emergency Operation Plan and appoint coordinators who shall report to the Emergency Operations Center and carry out assigned duties as appropriate.
- (c) *Adoption:* The Emergency Operation Plan shall not be effective until adopted by the Board of Supervisors. Nothing in this section shall be construed so as to limit the Emergency Management Director from immediately commencing organizational and planning programs as required by the County Emergency Operation Plan adopted by the County Board.

(9) **Penalties**

It shall be unlawful for any person willfully to obstruct, hinder or delay any member of the emergency management organization in the enforcement or any order, rule, regulation or plan issued pursuant to this ordinance, or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this ordinance. For a violation, the offender shall forfeit not less than \$100.00 nor more than \$500.00, and in default of payment thereof, shall be imprisoned in the county jail for a period not to exceed 90 days.

(History: Res. 2004-11-08; Res. 2014-11-10; Res. 2016-06-04)

16.02 FINANCING OF 9-1-1 EMERGENCY TELEPHONE SYSTEM

- (1) **Emergency 9-1-1 System.** There is hereby established a sophisticated emergency telephone system to be operated and maintained by the Trempealeau County Sheriff's Department at its Law Enforcement Center in the City of Whitehall which shall be in accordance with the plan submitted to the telephone utilities involved in its operation, all pursuant to the provisions of 256.35(3)(b), Wis. Stats.
- (2) **Cost Assessment.** All telephone service users in Trempealeau County which have access to an enhanced 9-1-1 telephone system shall be required to pay the costs of said system as authorized by State Law 256.35(3)(b), Wis. Stats., and as determined by the telecommunications utilities serving such users in Trempealeau County.
- (3) **Cost Levy and Collection.** All telecommunications utilities serving Trempealeau County shall bill the service users for all of the costs referred to in 256.35(3)(b), on a maximum amount of time allowed by Statute, and as approved by the appropriate agency of the State of Wisconsin, all as part of the regular billing to those service users.
- (4) **Contract Execution.** The Trempealeau County Law Enforcement/Emergency Management Committee is hereby empowered to enter into all necessary contracts and covenants required by State law to arrange for the installation and operations of said enhanced 9-1-1 system.

(History: Res. 07/19/1993; Res. 2015-09-05; Res. 2016-06-04)