

EMERGENCY MANAGEMENT AGENCY

30-1-1 ESTABLISHMENT.

(A) There is hereby created an Emergency Management Agency to develop, plan, analyze, conduct, provide, implement, and maintain programs for disaster mitigation, preparedness, response, and recovery in accordance with the The Illinois Emergency Management Agency Act, the National Incident Management System (NIMS), and the Robert T Stafford Act.

(B) This agency will supersede the Civil Defense Agency and Emergency Services and Disaster Agency heretofore authorized, and shall be known as the Adams County Emergency Management Agency (hereinafter EMA).

(C) The Adams County EMA shall consist of the Director, who shall be its executive and other administrative personnel as may be selected by the Director and may make such expenditures within the appropriation therefore as may be necessary to carry out the purpose of this ordinance.

(D) The Adams County EMA shall have jurisdiction over and serve the entire County of Adams.

30-1-2 LEFT BLANK INTENTIONALLY.

30-1-3 LIMITATIONS: NOTHING IN THIS ORDINANCE SHALL BE CONSTRUED TO:

(A) Interfere with the course or conduct of a private labor dispute, except that actions otherwise authorized by this chapter or other laws may be taken when necessary to forestall or mitigate imminent or existing danger to public health or safety.

(B) Interfere with dissemination of news or comment of public affairs; but any communications facility or organization (including but not limited to radio and television stations, wire services, and newspapers) may be requested to transmit or print public service messages furnishing information or instructions in connection with a disaster emergency;

(C) Affect the jurisdiction or responsibilities of police forces, firefighting forces, units of the armed forces of the United States, or of any person thereof, when on active duty; but the Adams County Emergency Operations Plan shall place reliance upon the forces available for performance of functions related to disaster emergencies;

(D) Limit, modify, or abridge the authority of the County Board Chairman, the committees, and the Adams County Board to exercise any other powers vested in them under the constitution, statues, or common law of this state and county, independent of or in conjunction with any provisions of this chapter.

30-1-4 DEFINITIONS. As used in this Ordinance, unless the context clearly indicates otherwise, the following words and terms mean:

(A) "Director" means the staff assistant to the head of a local government subdivision with the duty of carrying out the requirements of this ordinance.

(B) "Disaster" means an occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from any natural, human or technological cause, including, but not limited to fire, flood, earthquake, wind, storm, hazardous materials spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, critical shortages of essential fuels and energy, explosion, riot, hostile military or paramilitary action, or acts of terrorism.

(C) "Disaster Operations" means the functions created in accordance with the provisions of this ordinance to be performed by state or local political subdivisions to alleviate the effects of disaster.

(D) "Emergency Management" means the efforts of the state and political subdivisions to develop, plan, analyze, conduct, provide, implement and maintain programs for disaster mitigation, preparedness, response and recovery.

(E) "Emergency Operation Plan" means the written plan of the political subdivision describing the organization, mission, and functions of the government and supporting services for responding to and recovering from disasters.

(F) "Exercise" means a planned event realistically simulating a disaster, conducted for the purpose of evaluating the political subdivision's emergency management capabilities, including, but not limited to, testing the emergency operations plan.

(G) "Municipality" means any city, village, and incorporated town.

(H) "National Incident Management System" means the consistent nationwide approach developed and administered in accordance with Homeland Security Presidential Directive-5 for federal, state, local, and tribal governments and private-sector and nongovernmental organizations to work together effectively and efficiently, to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size, or complexity.

(I) "Political Subdivision" means any county, city, village, or incorporated town.

(J) "Terrorism" means the unlawful use of force or violence against persons or property to intimidate or coerce a Government, the civilian population, or any segment thereof, in furtherance of political or social objectives

30-1-5 DIRECTOR.

(A) The Director of the Adams County EMA shall be appointed by the Chairman of the County Board with the concurrence of the county board and shall serve until removed by the same.

(B) The Director shall have direct responsibility for the organization, administration, training and operation of the Adams County EMA subject to the direction and control of the Chairman of the Adams County Board.

(C) The Director shall coordinate activities of all organizations for emergency management and disaster operations within Adams County and shall maintain liaison and cooperate with emergency agencies and emergency organizations of municipalities within Adams County, other counties and cities, and of the federal and state government.

(D) The Director shall head the Local Emergency Planning Commission.

(E) During times of Presidential Disaster Declarations, the Director shall be appointed as the county's authorized agent for purposes of coordinating assistance and reimbursement through federal assistance programs.

30-1-6 FUNCTION: THE ADAMS COUNTY EMA SHALL:

(A) Prepare and keep current an Emergency Operations Plan for Adams County.

(B) Prepare and distribute to all appropriate officials in written form, a clear and complete statement of the organization of an incident management system, and the emergency responsibilities of all local departments and offices of the disaster chain of command;

(C) Inter-relate with business, labor, industry, agriculture, civic and volunteer organizations, and community leaders in the development of such a plan.

(D) Establish, train, and coordinate resources for use in search and rescue incidents.

(E) Establish, train, and maintain EMA volunteer units as may be deemed necessary by the Director or the County Board to place the county in a position to promptly and effectively respond to disaster;

(F) Maintain and operate, as necessary, an Emergency Operations Center for essential agencies and organizations to coordinate disaster response.

(G) Prepare for issuance by the board chairman and Adams County Board, resolutions, proclamations and regulations as necessary or appropriate in coping with disaster.

(H) Coordinate with other emergency response agencies the preparation and coordination of emergencies that require a multiple discipline response.

(I) Cooperate with the federal and state governments and any public or private agency or entity in achieving any purpose of this ordinance and in implementing programs for disaster mitigation, preparation, response, and recovery;

(J) Perform such emergency management and disaster operations, functions within Adams County as shall be prescribed in and by the state emergency operations plan and such orders, rules and regulations as may be promulgated by the Governor and in addition, shall perform such duties outside the corporate limits as may be required pursuant to any mutual aid agreement with any other political subdivision, municipality, or quasi-municipality entered into as provided by "The Illinois Emergency Management Agency Act".

(K) Execute and enforce such orders, rules, and regulations as may be made by the Governor under authority of "The Illinois Emergency Management Agency Act". The Adams County EMA shall have available for inspection at its offices, all orders, rules and regulations made by the Governor, or under his authority, as shall be furnished by the Illinois Emergency Management Agency.

30-1-7 AGREEMENTS WITH OTHER POLITICAL SUBDIVISIONS.

(A) The Director may negotiate mutual aid agreements with other counties or political subdivisions of the state, but no such agreement shall be effective until the County Board Chairman has approved it.

(B) The Director may negotiate memorandums of understandings with other private or non-profit entities, but no such agreement shall be effective until the County Board Chairman has approved it.

30-1-8 LOCAL DISASTER DECLARATION.

(A) In the event of a disaster, as defined in Section 3, the County Board Chair, may, upon the recommendation of the Adams County EMA Director, by proclamation declare that a disaster exists. Upon such proclamation the County Board Chair shall have and may exercise for a period not to exceed 7 days, except by or with consent of the Adams County Board, the following emergency powers.

(B) To make, amend, and rescind all lawful necessary orders, rules, and regulation including but not limited to:

- (1) Establishment of curfew
- (2) To recommend evacuation of all or parts of the population from any stricken or threatened area
- (3) To control ingress and egress to and from a disaster area, the movement of persons within the area and to occupy the premise within

(4) Issue such other orders as are necessary for the immediate protection of life and property

(C) Temporarily occupy and/or control private or public property, real or personal, for temporary public use in responding to a declared disaster defined in section 3; provided, however, that the lawful owner of such property be compensated a fair market value for the use or taking of property, upon that owner's application to the County for such compensation at the conclusion of the declared disaster.

(D) To suspend the provisions of any regulatory statute prescribing procedures for conduct of County business, or orders, rules, and regulation of any County agency, if strict compliance with the provisions in any way prevent, hinder, or delay necessary action, including emergency purchases, by the Adams County Emergency Management Agency, in coping with the disaster.

(E) Any order or proclamation declaring, continuing, or terminating a county disaster shall be given prompt and general publicity.

30-1-9 UTILIZATION OF EXISTING AGENCY, FACILITIES, AND PERSONNEL.

(A) Upon the proclamation of a declared disaster defined by section 3, the Director may utilize and direct the services, equipment, supplies and facilities of existing departments, offices, agencies within the political subdivision, to the maximum extent practicable, and the officers and personnel of all such departments, offices, and agencies are directed, upon request, to cooperate with and extend such services and facilities as may be needed.

30-1-10 PURCHASES AND EXPENDITURES.

(A) The County Board Chairman may, on recommendation of the Director, may authorize any purchase or contracts necessary to place the county in a position to effectively combat any disaster and to protect the public health and safety, protect property, and provide emergency assistance to victims in the case of such disaster.

(B) In the event of a declared disaster, the Director is authorized, on behalf of the county, to procure such services, supplies, equipment or material as may be necessary for such purposes, in view of the exigency without regard to the statutory procedure or formalities normally prescribed by law pertaining to county contracts or obligations, provided that if the County Board meets, at such time the director shall act subject to the directions and restriction imposed by that body.

30-1-11 APPROPRIATION.

(A) The Adams County Board shall make an appropriation for EMA purposes in the manner provided by law.

(B) The County Board may levy, for EMA purposes only, a tax not to exceed five (5) cents per hundred (100) dollars of the assessed value of all taxable property in addition to all other taxes; however, that amount collectable under such levy shall in no event exceed .25 cents per capita.

30-1-12 STATE EMERGENCY ACTION.

(A) If the Governor of Illinois declares that a disaster emergency exists in the event of an actual enemy attack upon the United States, or the occurrence within the state of Illinois, or a major disaster resulting from enemy sabotage, other hostile action, or from manmade or natural disaster, it shall be the duty of the Adams County EMA to cooperate fully with the Illinois Emergency Management Agency and with the Governor in the exercise of emergency powers as provided by law.

30-1-13 COMPENSATION / REIMBURSEMENT BY STATE.

(A) The County Treasurer may receive and allocate to the appropriate fund, any reimbursement by the state or federal government to the county for expenses incident to emergency management activities as provided by law or the Adams County Board.

30-1-14 OATH.

(A) Every person appointed to serve in any capacity in the Adams County EMA organization shall, before entering upon his or her duties, subscribe the following oath, which shall be filed with the Director.

"I, _____, do solemnly, swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Illinois, and the territory, institutions, and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I nor have I been a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence; and that during such time as I am affiliated with the Adams County Emergency Management Organization, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence."

30-1-15 DISASTER WARNING DEVICES.

(A) The testing of warning systems, including outdoor warning siren systems and public notification systems, shall be held only on the first Tuesday of each month at 10:00am.

(B) Testing shall be withheld until the following month in the event possible severe weather.

(C) If the system requires testing due to failure or maintenance public notification must be given no less than one day in advance.

(D) Warning systems utilized during exercises must be approved in advance by the Adams County Emergency Management Agency

30-1-16 AUTHORITY TO ACCEPT SERVICES, GIFTS, GRANTS, OR LOANS.

(A) Whenever the federal or state governments or any agency or officer thereof or whenever any person, firm or corporation shall offer to Adams County, services, equipment, supplies, materials, or funds by way of gift or grant for purposes of emergency management agency operations, the county, acting through the county board, may authorize any officer of the county to receive such services, equipment, supplies, materials, or funds on behalf of the county.

(B) However, in times of disaster, as defined in section 3, the EMA Director may receive such services, equipment, supplies, materials, or funds on behalf of the county.

30-1-17 SEVERABILITY.

(A) If any provisions of this ordinance or the application thereof to any person or circumstances be held invalid, such invalidity shall not affect such other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.