

CHAPTER 24

EMERGENCY MANAGEMENT

- 24.0 Policy and Purpose
- 24.01 Local Agency Response and Reimbursement
- 24.02 Declaration of Emergency

24.0 POLICY AND PURPOSE. (Rep. & Rec. #8-91)

(1) To ensure that the County of La Crosse will be prepared to cope with emergencies resulting from natural or man-made disasters, an emergency management organization is created to carry out the purposes set forth in Chapter 323 of the Wisconsin Statutes.

(2) DEFINITIONS.

(a) "Adjutant general" means the adjutant general of the department of military affairs.

(b) "Disaster" 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 state or a portion of this state, or critical systems, including computer, telecommunications, or agricultural systems.

(c) "Emergency management" means all measures undertaken by or on behalf of the state and its subdivisions to do any of the following:

1. to prepare for and minimize the effect of disaster or the imminent threat of a disaster.
2. make repairs to or restore infrastructure destroyed or damaged by a disaster.

(3) COUNTY EMERGENCY MANAGEMENT COMMITTEE.

(a) The Judiciary and Law Committee of the County Board as created under its rules is hereby designated as the County Emergency Management Committee.

(b) Duties. The Judiciary and Law Committee shall be an advisory and planning group with policy-making and rule-making powers in the establishment and development of county emergency planning programs. The Committee shall advise the head of emergency management services and the County Board on all matters pertaining to emergency management.

(4) EMERGENCY MANAGEMENT COORDINATOR.

(a) The Emergency Management Coordinator shall be the head of emergency management for La Crosse County. In addition to the duties as outlined herein, the head shall have the duties and responsibilities as provided in s. 323.15, Wis. Stats.

(b) Term, Appointment and Staff.

1. Term. The term of the emergency management coordinator shall be at the pleasure of the County Board.

2. Appointment. The La Crosse County Board shall appoint the Emergency Management Coordinator in accordance with County standard employment procedures.

3. Staff. The provisions of s. 323.14, Stats. relating to personnel shall apply to the selection of the coordinator and his/her staff. The Emergency Management Coordinator shall be considered a County employee and he/she shall report to the County Emergency Services Administrator.

(5) OFFICE AND STAFF.

(a) La Crosse County shall provide offices, office furniture, administrative staff and such office supplies as may be necessary to carry out the functions of emergency management. The costs shall be borne by the County of La Crosse.

(b) Major Equipment and Service. The cost of equipment and services shall be borne completely by the municipal government requiring such procurement with federal matching funds procured by the emergency management coordinator when applicable. Federal matching fund requirement shall be returned to the treasurer of the municipality procuring the equipment and service.

(6) COUNTY-MUNICIPALITY COOPERATION. Counties, towns and municipalities may cooperate under ss. 66.0301 and 323.14(2)(b), Wis. Stats., to furnish services, combine offices and finance emergency management services.

(7) DUTIES OF EMERGENCY MANAGEMENT COORDINATOR.

(a) The Emergency Management Coordinator shall develop and promulgate emergency management plans consistent with state plans, direct the emergency management program and perform such other duties related to emergency management as required by the La Crosse County Board and the Judiciary and Law Committee when applicable.

(b) The Emergency Management Coordinator shall coordinate and assist in developing town and municipal emergency management plans within the county, integrate such plans with the county plan, advise the department of military affairs of all emergency management planning in the county and submit to the adjutant general such reports as he or she requires, direct and coordinate emergency management activities throughout the county during the state of emergency, and direct county-wide emergency management training programs and exercises.

(c) During the continuance of a state of emergency proclaimed by the governor, he or she, on behalf of the county, may contract with any person to provide equipment and services on a cost basis to be used to respond to a disaster, or the imminent threat of a disaster.

(d) The Emergency Management Coordinator shall serve as the designated National Incident Management System (NIMS) compliance monitor and shall submit an annual report regarding the NIMS compliance and implementation.

(e) Mutual Aid Request. The Emergency Management Coordinator shall present all requests for out-of-county mutual aid for emergency management assistance to the Emergency Services Administrator, or, if not available, to the County Administrator.

(8) RESOURCES.

(a) County Resources. The implementation of the county emergency management program and organization shall utilize the services, equipment, supplies and facilities of the existing departments and agencies of the county to the maximum extent practicable. This may include the shared use of county vehicles.

(b) Emergency Use of Vehicles. An authorized emergency vehicle includes any emergency vehicle of a county department authorized or designated by the County to be an authorized emergency vehicle pursuant to s. 340.01(3)(e), Wis. Stats. The Emergency Management Coordinator, or any authorized person, when responding to an official request for help during any declared state of emergency, may operate any motor vehicle that is not registered in this state under s. 323.20, Wis. Stats.

(c) Use of Volunteer Groups. Other available resources include volunteer groups such as the Mass Casualty Team, County Disaster Assessment Team and amateur radio groups. The Emergency Management Coordinator shall serve as the supervisor of any utilized volunteer groups and shall direct the group's activities during training, team meetings, team exercises, and during responses to actual incidents or imminent threats of disasters.

(d) Powers of Peace Officers. During any state of emergency proclaimed by the governor or during any training program or exercises authorized by the adjutant general, any law enforcement officer of the state or of a county, city, village or town, when legally engaged in traffic control, escort duty or protective service, may carry out such functions at any point within the state, but shall be subject to the direction of the adjutant general through the sheriff of the county in which an assigned function is performed.

(9) RESPONSIBILITY. In order to assure that in the event of an emergency, all of the facilities of the existing county government are expended to the fullest extent to meet such an emergency, all department heads will fulfill emergency and non-emergency duties as assigned under the county emergency operations plan. The emergency management coordinator will assist them in organizing and planning for the expansion of their departments prior to and during an emergency and for recruiting necessary emergency government volunteers to supplement regular department employees.

(10) PENALTIES. It shall be unlawful for any person willfully to 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 ordinance, or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this ordinance. Penalties shall be provided by s. 25.04 of the La Crosse County Code of Ordinances.

24.01 LOCAL AGENCY RESPONSE AND REIMBURSEMENT (Cr. #6/5-97).

(1) Definitions.

(a) "Hazardous substance" has the meaning given in s. 299.01(6), Stats., or any amendments thereto.

(b) "Local Agency" means an agency of a county, city, village or town, including a municipal police or fire department, a municipal health organization, a county office of emergency management, a county sheriff, an emergency medical service, a local emergency response team, or a public works department. The City of La Crosse Fire Department has been designated as the local agency to respond to Type II hazardous materials spills in La Crosse County.

(2) A person who possesses or controls a hazardous substance that is released or who causes the release of a hazardous substance shall take the actions necessary to protect public health and safety and prevent damage to property.

(3) If action required under sub.(2) is not being adequately taken or the identity of the person responsible for an emergency involving a release or potential release of a hazardous substance is unknown and the emergency involving a release or potential release threatens public health or safety or damage to property, a local agency may take any emergency action that is consistent with the contingency plan for the undertaking of emergency actions in response to the release or potential release of hazardous substances established by the Department of Natural Resources under s. 292.11(5) and that it considers appropriate under the circumstances.

(4) A person who possessed or controlled a hazardous substance involved in the emergency or who caused the emergency shall, as provided under sub.(5), reimburse a local agency for actual, reasonable and necessary expenses incurred under sub.(3).

(5) (a) The Local Emergency Planning Subcommittee consisting of the Emergency Management Coordinator and the Chairperson of the Local Emergency Planning Committee or their designees is hereby designated as the reviewing entity under this subsection.

(b) A local agency seeking reimbursement under sub.(4) shall submit a claim stating its expenses to the reviewing entity for the County in which the emergency occurred.

(c) The Local Emergency Planning Subcommittee and/or designees shall review claims submitted under par.(5)(b) and determine the amount of reasonable and necessary expenses incurred. The Local Emergency Planning Subcommittee and/or designees shall provide a person who is liable for reimbursement under sub.(4) with a notice of the amount of expenses it has determined to be reasonable and necessary that arose from the emergency involving the release or potential release of a hazardous substance and are incurred by all local agencies from which the Local Emergency Planning Subcommittee receives a claim.

(d) If a person receiving a notice under par.(c) objects to the amount of expenses in the notice, the person may request the Local Emergency Planning Subcommittee to review its determination. Such request must be in writing, must contain the reasons for the objection to the expenses, and must be made within 10 days of receipt of notice of the amount of expenses provided in par.(c) above. The Local Emergency Planning Subcommittee may modify the determination and shall notify the person of the result of its review in writing.

(e) A person liable for reimbursement under sub.(4) shall pay the reimbursement directly to each local agency.

LA CROSSE COUNTY 9/14
EMERGENCY MANAGEMENT 24.02

(1) The County Board Chair may declare a state of emergency for La Crosse County or any portion thereof if he or she determines that an emergency resulting from any disaster exists.

(2) If the County Board Chair is unavailable, the first vice chair, the second vice chair, and the County Administrator shall in the order named, if the preceding named officers are unavailable, exercise the powers and discharge the duties of the office of the County Board Chair until a new chair is elected and qualified, or until a preceding named officer becomes available.