



## **JACKSON COUNTY EMERGENCY MANAGEMENT ORDINANCE**

**The County of Jackson ordains:**

Article 1. Jackson County Emergency Management Agency

### **Section 1. Short Title**

**This Ordinance shall be known and may be cited and referred to as “Emergency Management Ordinance for the County of Jackson.”**

### **Section 2. Intent and Purpose**

1. It is the intent and purpose of this Ordinance to establish an office that will ensure the complete and efficient utilization of all Jackson County resources to combat disaster resulting from enemy actions or other disasters as defined herein.
2. The Jackson County Office of Emergency Management will be the coordination agency for all activity in connection with Emergency Management. It will be the instrument through which the Jackson County Board of Commissioners may exercise the authority and discharge the responsibilities vested in them during major emergencies or disasters.
3. This Ordinance will not relieve any city or county department of the moral responsibilities or authority given to it in the city or county charter or by local ordinances, nor will it adversely affect the work of any volunteer agency organized for relief in major emergencies or disasters .

### **Section 3. Definitions**

1. The following definitions shall apply in the interpretation of this Article:
  - (a) “Emergency Management” is the basic government functions of maintaining the public peace, health and safety during an emergency. This term shall include plans and preparations for protection and relief, recovery and rehabilitation from effects of an attack by the forces of an enemy nation or the agents thereof, or a disaster as defined herein. It shall not, however, include any activity that is the primary responsibility of the military forces of the United States.
  - (b) “Attack” shall mean direct or indirect assault against the County of Jackson, its government, its environs, or of the nation, by the forces of a hostile nation or the agents thereof, including assault by bombing, conventional or nuclear, chemical or biological warfare, terrorism or sabotage.

- (c) "Disaster / Emergency" includes but is not limited to actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm epidemic, accident, chemical spill, air or other discharge into ground or water, or other impending or actual calamity endangering or threatening to endanger health, life or property of constituted government.
- (d) "Emergency Management Forces" shall mean the employees, equipment and facilities of all city and county departments, boards, councils, institutions and commissioners; and in addition, it shall include all volunteer personnel, equipment and facilities contributed by, or obtained from, volunteer persons or agencies.
- (e) "Volunteer" shall mean contributing a service, equipment or facilities to the Emergency Management Agency without remuneration.
- (f) "Emergency Management Volunteer" shall mean any person duly registered, identified and appointed by the Coordinator of Jackson County Emergency Management and assigned to participate in Emergency Management activity.
- (g) "Coordinator" shall mean the Coordinator of the Jackson County Emergency Agency, appointed as prescribed in this Ordinance.
- (h) "Regulations" shall include plans, programs and other emergency procedures deemed essential to Emergency Management.

#### **Section 4. Organization and Appointments**

1. The organization shall consist of the following:
  - (a) An agency of Emergency Management within the executive department of the Jackson County government under the direction of the Jackson County Board of Commissioners. The agency head of the Emergency Management Agency shall be known as the Coordinator and such assistants and other employees as are deemed necessary for the proper functioning of the agency will be appointed.
  - (b) The employees and resources of all Jackson County departments, boards, institutions, and councils shall participate in the Emergency Management activities. Duties assigned to city or county departments shall be the same as or similar to the normal duties of the department, where possible.
  - (c) Volunteer personnel and agencies offering service to, and accepted by the County.
2. The Jackson County Board of Commissioners shall maintain a full time Coordinator of the Jackson County Emergency Management Agency who shall be a person well versed and trained in planning operations involving the activities of many different agencies which will operate to protect the public health, safety and welfare in the event of danger from enemy action or disaster as defined in this Ordinance.
3. The Coordinator shall designate and appoint Deputy Coordinators to assume the emergency duties of the Coordinator in the event of his absence or inability to act.

#### **Section 5. Day-to-Day duties and Responsibilities of the Coordinator.**

1. The Coordinator shall be responsible to the Jackson County Board of Commissioners in regard to all phases of Emergency Management activity. The Coordinator shall be responsible for the planning, coordination, and operation of the Emergency Management activities in Jackson County. The Coordinator shall maintain liaison with the State and Federal authorities and the authorities of nearby political subdivisions so as to ensure the most effective operation of the Emergency Management plans. The Coordinator's duties shall include, but not be limited to the following:
  - (a) Coordinating the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the County of Jackson for Emergency Management purposes.
  - (b) Development and coordination of plans for the immediate use of all facilities, equipment, manpower and other resources of the County for the purpose of minimizing or preventing damage to persons and property; and protection and restoring to usefulness governmental services and public utilities necessary for the public health, safety and welfare.
  - (c) Negotiating standing agreements with owners or persons in control of buildings on other property for Emergency Management purposes, including use of public shelters. In an Emergency or Disaster situation, the Emergency Management Coordinator shall have discretion and authority to designate other buildings and property for Emergency Management Purposes and to negotiate with the owner of such property concerning such use; however, the Emergency Management Coordinator shall be required to make a full accounting to the Jackson County Board of Commissioners of any expenditures, if any, associated with such designation at the next regular Board of Commissioners meeting following the conclusion of the Emergency / Disaster.
  - (d) Through public informational programs, educating the populace as to actions necessary and required for the protection of their persons and property in case of enemy attack or defined herein, either impending or present.
  - (e) Conducting public practice alerts to ensure the efficient operation of the Emergency Management forces and to familiarize residents with Emergency Management regulations, procedures and operations.
  - (f) Coordinating the activity of all other public and private agencies engaged in any Emergency Management activities.

## **Section 6. Emergency Management Plans**

1. Comprehensive Emergency Management plans shall be adopted and maintained by resolution of the Jackson County Board of Commissioners. In the preparation of these plans as it pertains to city and county organization, it is intended that the services, equipment and facilities and personnel of all existing departments and agencies shall be utilized to the fullest extent. When approved, it shall be the duty of all departments and agencies to perform the functions assigned by these plans and to maintain their portions of the plans in a current state or readiness at all times. These plans shall have the effect of law whenever a disaster, as defined in this Ordinance, has been proclaimed.
2. The Coordinator shall prescribe in the emergency plans those positions within the disaster organization, in addition to his own, for which lines of succession are necessary. In each instance, the responsible person will designate and keep on file with the Coordinator a current list of three (3) persons as successors to his position. The list will be in order of succession and will, nearly as possible, designate persons best capable of carrying out all assigned duties and functions.
3. Each agency director and department head assigned responsibility in the plans shall be responsible for carrying out all duties and functions assigned therein. Duties will include the organization and

training of assigned employees and where needed volunteers. Each chief shall formulate the Standard Operating Guidelines to implement the plans for his / her service.

4. Amendments to these plans shall be submitted to the Coordinator. If approved, the Coordinator will then submit the amendments to the Jackson County Board of Commissioners with his recommendation for their approval. Such amendments shall take effect on the date of approval, unless otherwise specified by the Board of Commissioners.
5. When a required competency or skill or a disaster function is not available within government, the Coordinator is authorized to seek assistance from persons outside of government. The assignment of duties, when of a supervisory nature, shall also include the granting of authority for the persons so assigned to carry out such duties prior to, during and after, the occurrence of a disaster. Local government on a voluntary basis may accept such services from persons outside of government. Such citizens shall be enrolled as Emergency Management Volunteers.

### **Section 7. No Municipal or Private Liability**

1. This Ordinance is an exercise by the County of Jackson as its governmental functions for the protection of the public peace, health, and safety, and neither the County of Jackson nor agents and representatives, if some, or any individual receiver, firm, partnership, corporation, association, or trustee, or any of the agents thereof in good faith carrying out, complying with or attempting to comply with any order, rule or regulation promulgated pursuant to the provisions of this ordinance, shall be liable for any damage sustained to person or property as the result of said activity.
2. Any person owning or controlling real estate or other premises who voluntarily and without compensation grants the County of Jackson the right to inspect, designate and use the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual, impending or practice major emergency or disaster situation shall not be civilly liable for the death of, or injury to, any persons on or about such real estate or premises under such license, privilege or other permission; or for the loss of, or damage to, the property of such person.

### **Section 8. Violations**

It shall be a misdemeanor for any person to violate any of the provisions of this Ordinance or plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay any member of the Emergency Management organization as herein defined in the enforcement of the provisions of this Ordinance or any plan issued thereunder.

### **Section 9. Severability**

Should any provision of this Ordinance be declared invalid for any reason, such declaration shall not affect the validity of the other provisions, or of this Ordinance, as a whole, it being the legislative intent that the provisions of this Ordinance shall be severed and remain valid notwithstanding such declaration.

### **Section 10. Conflicting Ordinances, Orders Rules, and Regulations Suspended**

At all times when the orders, rules and regulations made and promulgated pursuant to this Article shall be in effect, they shall supersede all existing ordinances, orders, rules and regulations insofar as the latter may be inconsistent therewith.

*Electronic copy. Original document on file with the Clerk, Jackson County Board of Commissioners 07/01/85*