

## Chapter 34

### EMERGENCY MANAGEMENT

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[HISTORY: Adopted by the Village Board of the Village of Black Creek 4-12-2010 (Title 2, Ch. 1, § 2-1-4, of the 1987 Village Code). Amendments noted where applicable.]

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#### § 34-1. Purpose.

The purpose of this chapter is to ensure that the Village of Black Creek will be prepared to cope with emergencies resulting from enemy action and natural or man-made disasters by establishing an organization for emergency management. It is further declared to be the purpose of this chapter that all emergency management functions of the Village of Black Creek be coordinated to the maximum extent practicable with existing services and facilities of the Village and with comparable functions of the federal, state and county governments and other political subdivisions, as well as various private agencies, to the end that the most effective preparation and use may be made of manpower, resources and facilities for dealing with any disaster that may occur.

#### § 34-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**EMERGENCY OPERATIONS PLAN** — The preparation for carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to minimize injury and damage resulting from disaster caused by enemy attack, sabotage or other hostile action or by fire, flood or other natural causes.

#### § 34-3. Incorporation by reference.

Chapter 323 of the Wisconsin Statutes is herein incorporated in this chapter by reference.

#### § 34-4. Emergency Management Director.

- A. Appointment. The position of Emergency Management Services Coordinator shall be the Village's head of emergency management services and serve as the Emergency Management Director, as specified in § 323.14, Wis. Stats. The Emergency

- Management Services Coordinator shall be appointed by the Village Board and shall have an indefinite term of office.
- B. Deputy and assistant directors. Deputy and assistant directors may be appointed by the Director, subject to the approval of the Village Board, as may be deemed necessary.
- C. Powers and duties. The Director shall be the executive head of the Village emergency management organization and shall direct responsibility for the organization, administration and operation of the organization, subject to the direction and control of the Village Board. In addition to such powers and responsibilities as may be imposed on the Director from time to time by the Village Board, the Director shall have the authority and it shall be his or her duty to:
- (1) Coordinate all activities for emergency management within the Village.
  - (2) Maintain liaison and cooperate with emergency management agencies and organizations of other political subdivisions and of the state and federal government.
  - (3) Participate in county and state emergency management activities upon request.
  - (4) Prepare a comprehensive general plan for the emergency management of the Village and present such plan to the Village Board for approval.
  - (5) Subject to the approval of the Village Board, enter into mutual aid agreements with other political subdivisions and file copies of any such agreements with the State Director of Emergency Management.
  - (6) Upon declaration of an emergency, issue all necessary proclamations as to the existence of such state of emergency and such disaster warnings or alerts as shall be required in the emergency operations plans.

#### **§ 34-5. Utilization of existing services and facilities.**

In preparing and executing the emergency operations plan, the Director shall utilize the services, equipment, supplies and facilities of the existing departments and agencies of the Village to the maximum extent practicable. When the Village Board has approved the plan, all municipal agencies and departments of the Village shall perform the duties and functions assigned by the approved plan.

#### **§ 34-6. Declaration of emergency.**

The emergency management organization shall take action in accordance with the emergency operations plan only after the declaration and issuance of official disaster warnings. Declaration of emergency shall be made by the Governor, the Village Board, Village President or, in his or her absence, the Director. Such state of emergency shall continue until terminated by the issuing authority, provided that any declaration not issued by the Governor may be terminated by the Village Board.

**§ 34-7. Emergency regulations.**

Whenever necessary to meet an emergency for which adequate regulations have not been adopted by the Village Board, the Emergency Management Director and, in his or her absence, the Village Board President may proclaim, promulgate and enforce orders, rules and regulations relating to the conduct of persons and the use of property which are necessary to protect the public peace, health and safety and preserve lives and property and to ensure cooperation in emergency management activities. Such proclamations shall be posted in three public places and may be rescinded by resolution of the Village Board.

**§ 34-8. Interference with Village officials, violations and penalties. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

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 chapter or to do any act forbidden by any order, rule, regulation or plan issued pursuant to authority contained in this chapter. For a violation of any provisions of this chapter, he or she shall be punishable as provided in § 1-4, General penalty, of Chapter 1, General Provisions.