

CHAPTER 6  
EMERGENCY MANAGEMENT

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## **6.01**

### **POLICY AND PURPOSE**

- (1) "Emergency Management" shall mean the preparation for the carrying out of all emergency functions to minimize and repair injury or damage resulting from a disaster caused by enemy attack, sabotage or other hostile action, or by fire, flood or other natural causes.
- (2) By reason of the increasing possibility of disasters or unprecedented destructiveness, to ensure that preparation will be adequate to cope with such disasters, to provide for the common defense to protect the public peace, and to preserve the lives and property of the people, it is hereby declared necessary:
  - (a) To establish a local emergency management department.
  - (b) To provide for exercise of necessary powers during emergencies.
  - (c) To provide for the rendering of cooperation and mutual aid between the Town of Delavan and other political subdivisions.
- (3) It is further declared to be the purpose of this section and the policy of the Town of Delavan that all Emergency Management functions of the Town of Delavan be coordinated to the maximum extent possible with existing services and facilities of the Town of Delavan and with comparable political subdivisions, and various private agencies to the end that the most effective preparation and use may be made of human resources and facilities for dealing with any disaster that occur.

## **6.02**

### **DEFINITIONS. Terms used in this section means.**

- (1) "Emergency Management" includes Civil Defense and means all measures undertaken by and/or on behalf of the Town of Delavan within the Town of Delavan:
  - (a) To prepare for and minimize the effect of natural or manmade disasters upon the civilian population.

- (b) To effectuate all possible emergency actions to restore vital public services and facilities destroyed or damaged by a manmade or natural disaster.
- (2) "Civil Defense" means all measures undertaken by or on behalf of the State of Wisconsin, County of Walworth, and the Town of Delavan to prepare for and minimize the effects of enemy action upon the civilian population.
- (3) "Enemy Action" means hostile action by a foreign or domestic power, or other groups or individuals, which threatens the security of the Town of Delavan.

### **6.03      EMERGENCY MANAGEMENT COINITTEE**

- (1) Membership. The Emergency Management Committee shall operate under the provisions of section 166.03(4) Wis. Stats., and be composed of the following members: The Town Chair; a Town Supervisor; the Emergency Management Coordinator; the Town Administrator; the Town Clerk; the Town Treasurer; the Police Chief; the Captain of Police; the Fire Chief; the Assistant Fire Chief; the Public Works Manager; the Town Mechanic; and the DLSD Administrator. The Town Chair shall serve as Chairperson of the committee and the Town Supervisor shall serve as Co-Chair. A member of the committee shall be elected by the committee members to serve as secretary.
- (2) Powers and Duties. The Emergency Management Committee shall be an advisory and planning group and shall advise the Town Chair, the Emergency Management Coordinator, and Town Board in all matters pertaining to emergency management.
- (3) Planning. The committee shall engage in short and long term planning, and make recommendations regarding emergency and disaster mitigation, preparedness, response and recovery to the Town Board.

**6.04** HEAD OF EMERGENCY MANAGEMENT. The Town Chairperson shall be the Head of Emergency Management for the Town of Delavan. In the event that the Town Chairperson is unable to act in that capacity, the Emergency Management Coordinator shall serve as Head of Emergency Management.

*Revised 07.16.2024 Ordinance 429*

**6.05 EMERGENCY MANAGEMENT COORDINATOR.**

(1) Appointment. The Police Chief or the Fire Chief shall be appointed Emergency Management Coordinator by the Town Board upon the recommendation of the Chair.

(2) Powers and Duties.

(a) The Emergency Management Coordinator shall be the executive head of the Emergency Management Department and shall be directly responsible for the organization, administration and operation of the Emergency Management Department, subject to the direction and control of the Town Chair. The Emergency Management Coordinator shall coordinate all activities for emergency management within the Town consistent with Section 166.03(5), Wis. Stats., and shall maintain liaison and cooperation with emergency management agencies and organizations of other political subdivisions and the State and Federal governments, and shall participate in County and State emergency management activities upon request, and shall have such additional authority, duties and responsibilities as are authorized by this section and which may from time to time be required by the Town Chair.

(b) In accordance with the State plan format and the County ordinance of compliance, the Emergency Management Coordinator shall prepare and present a comprehensive general plan to the Town Board for this approval. When the Board has approved the plan by resolution, it shall be the duty of all municipal employees to perform the duties and function

assigned by said plan as approved. The plan may be modified and updated as necessary.

*Revised 07.16.2024 Ordinance 429*

- 6.06 UTILIZATION OF EXISTING SERVICES AND FACILITIES.** In preparing and executing the Emergency Management Plan, the Town Chair and/or the Emergency Management Coordinator shall utilize the services, equipment, supplies and facilities of the Town of Delavan, including the Town's employees, elected officials and appointees, to the maximum extent practicable.
- 6.07 EMERGENCY REGULATIONS.** Whenever necessary to meet an emergency for which adequate regulations have not been adopted by the Town Board, the Town Chair, or in his absence the Emergency Management Coordinator, may, by proclamation, promulgate and enforce such orders, rules and regulations relating to the conduct of persons and the use of property as shall be necessary to protect the public peace, health and safety, and preserve lives and property, and to ensure the cooperation necessary in carrying out emergency management activities, including, but not limited to, the imposition of a curfew applicable to all persons in the Town. Such proclamations shall be posted in three public places and may be rescinded by the Town Chair, or in his absence the Emergency Management Coordinator, at any time.
- 6.08 MUTUAL AID AGREEMENTS.** The Emergency Management Coordinator may, subject as the approval of the Town Board, enter into mutual aid agreements with other political subdivisions. A copy of such agreements shall be filed with the County Director of Emergency Management.
- 6.09 DECLARATION OF EMERGENCIES.** Upon the declaration of an emergency by the Governor of the State of Wisconsin, the Town Chair, the County Emergency Management Director, or the Town Emergency Management Coordinator in the absence of the Town

Revised 07.16.2024

Chair, shall publically announce that a state of emergency exists. The Town Chair, or at the direction of the Town Chair, the Emergency Management Coordinator shall issue all necessary proclamations as to the existence of such state of emergency and shall issue such disaster warnings and/or alerts as shall be required in the Emergency Operations Plan. The Emergency Management Committee shall take action in accordance with the Emergency Operations Plan upon the declaration of the issuance of official disaster warnings. Such state of emergency shall continue until terminated by the issuing authority, provided that any declaration not issued by the Governor, or the County Director of Emergency Management, may be terminated at the discretion of the Town Chair, or the Emergency Management Coordinator in absence of the Town Chair.

- 6.10**      **PENALTY.** It shall be unlawful for any person to willfully obstruct, hinder or delay any member of the Emergency Management Committee in the enforcement of any order, rule, regulation or plan issued pursuant to this section, or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this section, and upon conviction thereof shall be subject to a forfeiture not to exceed \$2000.00, exclusive of costs.