



Legislation Details (With Text)

File #: 74772 **Version:** 1 **Name:** Update Emergency Management Process
Type: Ordinance **Status:** Passed
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Title: Amending portions of Section 3.20 of the Madison General Ordinances to update the Emergency Management process.
Sponsors: Erik Paulson
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Date	Ver.	Action By	Action	Result
1/3/2023	1	COMMON COUNCIL	Adopt	Pass
12/6/2022	1	COMMON COUNCIL	Referred	
11/18/2022	1	Attorney's Office	Referred for Introduction	

Fiscal Note

The proposed ordinance amends portions of the Emergency Management section (Section 3.20) of the Madison General Ordinances to reflect updated position definitions. There is no fiscal impact.

Title

Amending portions of Section 3.20 of the Madison General Ordinances to update the Emergency Management process.

Body

DRAFTER'S ANALYSIS: This ordinance updates the Emergency Management process.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (h) of Subsection (2) entitled "Definitions" of Section 3.20 entitled "Emergency Management" of the Madison General Ordinances is amended as follows:

"(h) Emergency Management ~~Coordinator~~ Director" shall mean "Head of Emergency Management Services" as that term is used in Wis. Stat. ch. 323."

2. Subsection (3) entitled "Emergency Management Coordinator" of Section 3.20 entitled "Emergency Management" of the Madison General Ordinances is amended as follows:

"(3) Emergency Management ~~Coordinator~~ Director .
(a) There is hereby created a position of Emergency Management ~~Coordinator~~ Director who shall serve as the link between the City and State and Dane County Offices of Emergency Management as well as between the City and private individuals and/or entities for emergency management purposes. ~~S/he shall be appointed by the Mayor, subject to confirmation of the Common Council and~~ The Emergency Management Director shall be the Fire Marshal or their

designee, in the absence of the Fire Marshal it shall be the Fire Chief or their designee. The Emergency Management Director shall have responsibility in matters concerning the City's emergency management as set forth in this ordinance.

- (b) Duties and Authority . The Emergency Management ~~Coordinator~~ Director shall have the powers and duties set forth in Subsection (4), below. ~~S/he~~ They shall be the coordinator of emergency management for the City and shall have direct responsibility for organizing, administering, training and operating emergency management within the framework of the City's emergency management plan and shall serve as the signatory for the City in emergency management matters during a state of emergency in the absence or unavailability of the Mayor."

3. Subsection (4) entitled "Powers and Duties of the Emergency Management Coordinator" of Section 3.20 entitled "Emergency Management" of the Madison General Ordinances is amended as follows:

"(4) Powers and Duties of the Emergency Management ~~Coordinator~~ Director .

- (a) The Emergency Management ~~Coordinator~~ Director 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 are required by the Common Council. The emergency management plan shall require the use of the incident command system and NIMS, as appropriate, by all emergency response agencies, including the local health department as defined in Wis. Stat. § 250.01(4), during a state of emergency declared by the Governor under Wis. Stat. § 323.10, or by the Mayor or Common Council hereunder, or by the Common Council under Sec. 3.19 of the Madison General Ordinances or in any other multi-jurisdictional or multi-agency emergency response.
- (b) The Emergency Management ~~Coordinator~~ Director shall coordinate and schedule City emergency management training programs and exercises, direct participation in emergency management programs and exercises ordered by the adjutant general of the State of Wisconsin and the Dane County director of emergency management, and advise the Dane County director of emergency management on City emergency management programs and submit to him or her such reports as he or she requires.
- (c) In addition, the Emergency Management ~~Coordinator~~ Director shall be responsible for performance of the following activities:
1. Develop an organized and comprehensive emergency plan for the City.
 2. Assess risks and potential risks and hazards.
 3. Serve as a resource to organize, train, and equip emergency responders and emergency management staff.
 4. Support incident command system.
 5. Serve as Emergency Operation Center director.
 6. Review City agency plans to ensure plans are coordinated, current and comprehensive.
 7. Serve as staff advisor to the Mayor on emergency management matters.
 8. Keep the Mayor apprised of the preparedness status and emergency management needs.
 9. Coordinate City planning and preparedness activities.
 10. Prepare and maintain a resource inventory.
 11. Ensure City plan is coordinated with other state and local government plans.
 12. Coordinate periodic emergency exercises.

13. Perform as necessary liaison with the state emergency management staff and other local emergency management personnel.
14. Coordinate with organized volunteer groups and businesses regarding emergency operations.
15. Prepare the City to manage emergencies from mitigation and preparedness to response and recovery.
16. Direct the activities of the Emergency Management Planning Staff Team."

4. Subsection (6) entitled "Utilizing Existing Services and Resources" of Section 3.20 entitled "Emergency Management" of the Madison General Ordinances is amended as follows:

"(6) Utilizing Existing Services and Resources .

- (a) Resources . In preparing and executing the emergency management plan, the services, equipment, supplies and facilities of the existing departments and agencies of the City shall be utilized to the maximum extent practicable; and the officers and personnel of all such departments and agencies are directed to cooperate with and extend such service and facilities as are required of them by the Emergency Management ~~Coordinator~~ Director.
- (b) Management Services . Specific assignments to various departments for emergency management purposes shall be made in accordance with the Madison emergency management plan as approved by the Common Council.
- (c) Management Cooperation . All Department and Division heads shall assist the Emergency Management ~~Coordinator~~ Director in the development of the emergency management plan to ensure the safety and welfare of the general public and the continuity of normal governmental operation during a state of emergency.
- (d) Contracting Powers . The Emergency Management ~~Coordinator~~ Director is empowered to enter into contracts to purchase or provide goods and services consistent with the mission of Emergency Management, as authorized by the Emergency Management Plan approved by the Common Council and in accordance with all adopted budgetary restrictions and authorizations.

5. Subsection (8) entitled "Mutual Aid Agreements" of Section 3.20 entitled "Emergency Management" of the Madison General Ordinances is amended as follows:

"(8) The Emergency Management ~~Coordinator~~ Director may, subject to the approval of the Common Council, enter into mutual aid agreements with other political subdivisions. Copies of such agreements shall be filed with the City Clerk and the State Adjutant General."

6. Subdivision (9) entitled "Declaration of Emergencies" of Section 3.20 entitled "Emergency Management" of the Madison General Ordinances is amended as follows:

"(9) Declaration of Emergencies .

- (a) Upon the declaration of a state of emergency by the Governor, by the Mayor, or in the absence of the Mayor, by the President of the Common Council or the individual designated under Sec. 3.19, MGO, or by the Common Council under Sec. 3.19, MGO, the Emergency Management ~~Coordinator~~ Director shall disseminate all proclamations as to the existence of such state of emergency and shall issue such alerts as shall be required in the emergency management plan.
- (b) Such state of emergency shall continue until terminated by the issuing authority, provided that any such declaration not issued by the Governor may be terminated at the discretion of the Common Council.

- (c) During the continuance of a state of emergency, proclaimed as set forth herein, the Emergency Management ~~Coordinator~~ Director may contract with any person to provide equipment and services on a cost basis to be used in disaster relief and/or commandeered materials, services and property in the public interest and safety. Such authority to contract shall be limited to the provision of goods and services necessary to stop further damage and/or to maintain basic municipal services and/or infrastructures. Contracts in excess of ten thousand dollars (\$10,000) shall require approval of the Mayor.
- (d) Upon the completion of the work described in sub. (c) and the termination of the state of emergency, the Emergency Management ~~Coordinator~~ Director shall make a complete report of the work to the Mayor and the Common Council, stating in detail the items of cost and the total cost of doing the work. The City Clerk shall publish the report as a part of the proceedings of the Common Council."

7. Subsection (10) entitled "City Security" of Section 3.20 entitled "Emergency Management" of the Madison General Ordinances is amended and renumbered as follows:

- (10) City Security . No person shall be employed or associated in any capacity in any emergency management services under this Section who advocates a change by force or violence in the constitutional form of government of the United States or this state or who has been convicted of or is under indictment or information charging any subversive act against the ~~United~~ United States.

8. Subdivision (12) entitled "Enforcement" of Section 3.20 entitled "Emergency Management" of the Madison General Ordinances is amended as follows:

- "(12) Enforcement . It shall be the duty of every emergency government committee established pursuant to this Section and the Emergency Management ~~Coordinator~~ Director, Department Heads, officers, agents, employees and all other City and emergency government personnel to execute, enforce and obey such lawful orders rules and regulations as may be issued by the Mayor during a state of emergency."