

Chapter 23

EMERGENCY MANAGEMENT

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[HISTORY: Adopted by the Board of Trustees of the Village of Port Byron as indicated in article histories. Amendments noted where applicable.]

**ARTICLE I
Civil Defense**

[Derived from Title 1, Ch. 3, Art. 1, of the 1993 Code]

§ 23-1. Establishment.

- A. There is hereby created the local Municipal Civil Defense Organization to prevent, minimize, repair and alleviate injury or damage resulting from disaster caused by enemy attack, sabotage or other hostile action, or from natural disaster, in accordance with "The Illinois Civil Defense Act of 1951", as amended.
- B. The Civil Defense Organization shall consist of the Director and additional members to be selected by the Director.

§ 23-2. Director.

- A. The Director of the Municipal Civil Defense Organization shall be appointed by the President and Board of Trustees and shall serve until removed by the same.

- B. The Director shall have direct responsibility for the organization, administration, training and operation of the Civil Defense Organization, subject to the direction and control of the Village President, as provided by Statute.
- C. In the event of the absence, resignation, death or inability to serve of the Director, the Village President or any person designated by him, shall be and act as Director until a new appointment is made as provided in this chapter.

§ 23-3. Functions.

The Municipal Civil Defense Organization shall perform such civil defense functions within the Municipality as shall be prescribed in and by the State civil defense plan and program prepared by the Governor, and such orders, rules and regulations as may be promulgated by the Governor, and in addition shall perform such duties outside the corporate limits as may be required pursuant to any Mutual Aid Agreement with any other political subdivision, municipality or quasi-municipality entered into as provided by the "Illinois Civil Defense Act of 1951", as amended.

§ 23-4. Service as mobile support team.

- A. All or any members of the Municipal Civil Defense Organization may be designated as members of a Mobile Support Team created by the State Director of Civil Defense as provided by law.
- B. The leader of such Mobile Support Team shall be designated by the Director of the Municipal Civil Defense Organization.
- C. Any member of a Mobile Support Team who is a municipal employee or officer while serving on call to duty by the Governor, or the State Director of Civil Defense, shall receive the compensation and have the powers, duties, rights and immunities incident to such employment or office.
- D. Any such member who is not a paid officer or employee of the Municipality, while so serving, shall receive from the State reasonable compensation as provided by law.

§ 23-5. Agreements with other political subdivisions.

The Director of the Civil Defense Organization may negotiate Mutual Aid Agreements with other municipal corporations or political subdivisions of the State, but no such agreement shall be effective until it has been approved by the Board of Trustees and by the State Director of Civil Defense.

§ 23-6. Emergency action.

If the Governor declares that a civil defense emergency exists in the event of actual enemy attack upon the United States or the occurrence within the State of Illinois of major disaster resulting from enemy sabotage or other hostile action or from natural disaster, it shall be the

duty of the Municipal Civil Defense Organization to cooperate fully with the State office of civil defense and with the Governor in the exercise of emergency powers as provided by law.

§ 23-7. Compensation.

Members of the Civil Defense Organization who are paid employees or officers of the Municipality, if called for training by the State Director of Civil Defense, shall receive for time spent in such training the same rate of pay as is attached to the position held; members who are not such municipal employees or officers shall receive for such training time such compensation as may be established by the Board of Trustees.

§ 23-8. Reimbursement by state.

The State Treasurer may receive and allocate to the appropriate fund any reimbursement by the State to the Municipality for expenses incident to training members of the civil defense, compensation for services and expenses of members of a Mobile Support Team while serving outside the Municipality in response to a call by the Governor or State Director of Civil Defense, as provided by law, and any other reimbursement made by the State incident to civil defense activities, as provided by law.

§ 23-9. Purchases and expenditures.

- A. The Board of Trustees may, on recommendation of the Municipal Director of Civil Defense, authorize any purchase or contracts necessary to place the Municipality in a position to combat effectively any disaster resulting from the explosion of any nuclear or other bomb or missile, and to protect the public health and safety, protect property, and provide emergency assistance to victims in the case of such disaster, or from natural disaster.
- B. In the event of enemy caused or natural disaster, the Municipal Director of Civil Defense is authorized, on behalf of the Municipality, to procure such services, supplies, equipment or material as may be necessary for such purposes, in view of the exigency, without regard to the statutory procedures or formalities normally prescribed by law pertaining to municipal contracts or obligations, as authorized by "The Illinois Civil Defense Act of 1951", as amended; provided that, if the Board of Trustees meets at such times, he shall act subject to the directions and restrictions imposed by that body.

§ 23-10. Oath.

Every person appointed to serve in any capacity in the Municipal Civil Defense Organization shall, before entering upon his duties, subscribe to the following oath, which shall be filed with the Director:

"I, (Name) a member of the Civil Defense Organization of the Village of Port Byron do solemnly swear that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Illinois, and the territory, institutions and facilities thereof, both public and private, against all enemies foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter, and I do further swear that I do not advocate, nor am I nor have I been a member of any political party or organization that advocates the overthrow of the Government of the United States or of this State by force or violence; and that during such time as I am affiliated with the Port Byron Civil Defense Organization, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the Government of the United States or of this State by force or violence."

§ 23-11. Office.

The Village President is authorized to designate space in the Village Hall or elsewhere, as may be provided for by the Village Board for the Municipal Civil Defense Organization as its office.

§ 23-12. Appropriation; levy of taxes. [Amended 1-21-1974]

The Village Board may have an appropriation for civil defense purposes in the manner provided by law, and may levy in addition for civil defense purposes only, a tax not to exceed \$0.05 per \$100 of the assessed value of all taxable property in addition to all other taxes, as provided by "The Illinois Civil Defense Act of 1951", as amended; provided, however, that the amount collectable under such levy shall in no event exceed \$0.25 per capita.

ARTICLE II

Declaration of Emergency

[Adopted 2-14-2005 by Ord. No. 051402B]

§ 23-13. Authority to declare.

The authority to declare an emergency or disaster is held by the Village President.

§ 23-14. Duties and responsibilities.

The Village President shall have the duties and responsibilities, but not limited to:

- A. Assume responsibility for the overall emergency response and recovery operations.
- B. Assign the Village Emergency Manager as Lead Commander of all emergency/disaster operations.
- C. Assess the emergency/disaster and determine the severity of the emergency/disaster and the level of emergency response needed for operations.

- D. If the emergency/disaster exceeds the response capabilities of the Village, notification for assistance shall be made to Rock Island County ESDA for additional county, state or federal response resources.
- E. Ensure all emergency response is in accordance with current systems of Incident Command, Unified Command and National Incident Management System (NIMS) standards.
- F. Authorizes the mitigation strategy for recovery.
- G. Assist with the ongoing review and revisions of policies for the emergency response organizations and operations.

ARTICLE III

Emergency Manager

[Adopted 2-14-2005 by Ord. No. 051402C]

§ 23-15. Creation of office: appointment.

There is created the Office of Emergency Manager, an executive office of the Village. The Emergency Manager shall be appointed by the President of the Board of Trustees by and with the consent of the Board of Trustees. The Emergency Manager shall be appointed annually and shall hold the office, unless sooner discharged, until the end of the municipal year for which the Emergency Manager is appointed or until a successor is appointed and qualified.

§ 23-16. Duties and responsibilities.

During a declared emergency, the Emergency Manager shall have the following duties and responsibilities:

- A. Shall have the day-to-day responsibility of managing emergency management response, activities and programs to include but not limited to;
 - (1) Coordinating all aspects of the Village's mitigation, preparedness, response, and recovery operations.
 - (2) Coordinates resources from all operational organizations before, during, and after the declared emergency.
 - (3) Coordinates and directs all Village Department heads and Supervisors to include police, fire, public works, support staff, volunteers and any other group or organization so needed to respond to the emergency.
 - (4) Ensure that all activities by all emergency responders and support staff are compliant with the Unified Command System, Incident Command System, National Incident Management System and local, State and federal Laws.
 - (5) Coordinate mutual-aid response as needed via ILEAS, MABUS, Rock Island County ESDA and IEMA.

- (6) Report as needed, emergency response activities to the Village President and/or Board of Trustees.
 - (7) Provide a written report of the emergency activities to the Village President and Board of Trustees within 30 days upon termination of the declared emergency.
- B. In the absence of the Village President, the Emergency Manager shall have final authority of all declared emergency and/or disaster operations. In the absence of both the Village President and Emergency Manager the succession of authority during the declared emergency/disaster shall be the Police Chief or Fire Chief depending on the nature of the emergency/disaster.

§ 23-17. Compensation.

The compensation for the Emergency Manager position shall be fixed annually by the Village Board of Trustees and in addition to any other compensation afforded the appointee.

§ 23-18. Qualifications and training.

The Emergency Manager shall have achieved training certificates in the areas of; Incident Command, Unified Command, NIMS and Emergency Management issued from or equivalent to the agencies of Illinois Emergency Management Agency, Federal Emergency Management Agency, Fire Service Institute (State and/or Federal) and/or other training provided by State and/or Federal agencies. Training from the private sector may also be considered. The Board of Trustees shall ensure the Emergency Manager receives continual training/education in the field of emergency management.

MANUSCRIPT
EMERGENCY MANAGEMENT

23 Attachment 1

Village of Port Byron

**Major Emergency/Disaster
Command Flow Chart**

