

TOWN OF PEMBROKE
EMERGENCY MANAGEMENT
POLICY

Adopted: May 14, 2007

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EMERGENCY MANAGEMENT POLICY

TOWN OF PEMBROKE

Purpose

It is the intent and purpose of this policy to establish and Emergency Management Agency in compliance and in conformity with the provisions of Title 37-B, MRSA, Section 781 st seq., to ensure the complete and efficient utilization of the Town's facilities and resources to combat disaster as defined herein.

Establishment. The Pembroke Emergency Management Office (OEM) and the position of Emergency Management Director for the Town of Pembroke are hereby created. The Selectmen may appoint additional OEM staff members, as needed.

Definitions

The following definitions shall apply in the interpretation of the ordinance:

Emergency Management Director (EMD). "Emergency Management Director" shall mean the appointed town official responsible for performing the four phases of Emergency Management (preparedness, response, recovery, and mitigation) and for liaison with the Washington County Emergency Management Agency.

Emergency Management Agency. " Emergency Management Agency" means the agency created under this policy for the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, in order to minimize and repair injury and damage resulting from disasters or catastrophes caused by enemy or terrorist attacks, sabotage, riots or other hostile action, or by fire, flood, earthquake or other natural or man-made causes. These functions include, without limitation, firefighting, police, medical and health, emergency welfare, rescue, engineering, public warning and communications services; evacuation of persons from stricken areas; allocation of critical materials in short supply; emergency transportation; other activities related to civilian protection and other activities necessary to the preparation for the carrying out of these functions.

Emergency Management Agency Forces. "Emergency Management Agency Forces" shall mean the employees, equipment and facilities of all town departments, boards, institutions and commissions; and in addition, it shall include all volunteer persons, equipment and facilities contributed by or obtained from volunteer persons or agencies.

When directed by the Chairman of the Board of Selectmen or by the Emergency Management Director, the Emergency Operations Center will be established and manned. At the discretion of the Selectmen or the EMD, the following town officials may be included on the Emergency Operations Center Staff:

- A. Selectmen
- B. Town Manager
- C. Town Clerk
- D. Comptroller
- E. Code Enforcement Officer
- F. Police Chief
- G. Fire Chief or Deputy
- H. Ambulance Chief
- I. Road Commissioner

Director. "Director" means the director of the Town of Pembroke Emergency Management Agency, appointed as prescribed in this policy.

Disaster. "Disaster" means the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from any natural or man-made cause including, but not limited to, fire, flood, earthquake, wind, storm, wave action, oil spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, critical material shortage, infestation, explosion or riot.

Organization

The Selectmen/Town Manager shall be responsible for the agency's organization, administration and operation. The Selectmen/Town Manager may employ such permanent or temporary employees, as he/she deems necessary and prescribe their duties.

The Pembroke Selectmen shall review the operational organization, to ascertain the agency's ability to cope with its responsibilities and shall also approve the Town's Emergency Operations Plan.

Appointment of Director, Duties, and Responsibilities

Appointment, Term and Removal: The Pembroke Selectmen shall appoint an Emergency Management Director, who shall coordinate the activities of all town departments, organizations and agencies for civil emergency preparedness within the town and maintain a liaison with other emergency management agencies, public safety agencies, and have such additional duties as prescribed by the Selectmen. This appointment shall be annual and made by July 30th of each year. The Selectmen may remove the Emergency Management Director for just cause.

Duties and Responsibilities: The Emergency Management Director's duties shall include, but not be limited to the following:

- A. Prepare and update a Hazard Risk and Vulnerability Assessment.
- B. Prepare and maintain the Pembroke emergency Operations Plan.
- C. Organize, activate and operate the Pembroke Emergency Operations Center.
- D. Prepare and maintain a list of disaster resources.
- E. Develop procedures for the operation of the Pembroke Emergency Operations Center.
- F. Coordinate and maintain written disaster Mutual Aid Agreements with the approval of the Selectmen.
- G. Provide Emergency Management training to town officials and responders.
- H. Develop and implement a Disaster Exercise Program.
- I. Attend County Local Emergency Manager meeting.
- J. Provide disaster preparedness information to town residents.
- K. Complete and report damage assessments to the Washington County Emergency Management Agency.
- L. Complete and submit applications for FEMA disaster funds and grants.

The Emergency Management Director may take necessary training as provided by the Washington County Emergency Management Agency, Maine Emergency Management Agency (MEMA, and FEMA).

Rules and Regulations

The Emergency Management Director shall prepare, under the direction of the Selectmen, such policies as may be deemed necessary for the administration and operational requirements of the agency, whose policies must be approved by the Pembroke Selectmen prior to becoming effective.

Emergency Proclamation

The Selectmen/Town Manager shall have the power and authority, after consultation with the Chairperson of the Pembroke Selectmen, Emergency Management Director, and the Fire Chief, to issue a proclamation that an emergency exists whenever a disaster or civil emergency exists or appears imminent. The proclamation may declare that an emergency exists in any or all sections of the town. If the Selectmen/Town Manager is temporarily absent from the town or otherwise unavailable, the person designated by the Selectmen may issue the proclamation that an emergency exists. If neither the Selectmen or the person designated by them to act in their absence is available, then the following persons shall have the power and authority to issue a proclamation that an emergency exists, in the following order of succession, the Police and the Public Works Director. A copy of the proclamation shall be filed within twenty-four (24) hour in the office of the Town Clerk.

Notwithstanding the above, when consultation with the Chairperson of the Pembroke Selectmen would result in a substantial delay in an effective response in alleviating or preventing an emergency or disaster, the Selectmen/Town Manager, or his successor as outlined above, is authorized to take whatever actions are necessary to prevent the loss of life and property in the town.

The Selectmen/Town Manager and the Emergency Management Director shall be responsible for submitting a full report to the Machias Selectmen of all actions taken as a result of the declared emergency as soon as the Board of Selectmen can be convened.

Termination of Emergency

When the Selectmen/Town Manager or his/her successor as outlined above is satisfied that a disaster or civil emergency no longer exists, he/she shall terminate the emergency proclamation by another proclamation affecting the sections of the Town covered by the original proclamation, or any part thereof. Said termination of emergency shall be filed in the office of the Town Clerk.

No state of emergency may continue for longer than five (5) days unless renewed by the Pembroke Selectmen.

Selectman/Town Manager's Duties and Emergency Powers

During any period when an emergency proclamation is in effect, the Selectmen/Town Manager may promulgate such regulations, as he/she deems necessary to protect life and property and to preserve critical resources within the purposes of this ordinance. Such regulations may include, but not limited to, the following:

1. Regulations prohibiting or restricting the movement of vehicles in areas within or without the town;
2. Regulations facilitating or restricting the movement of persons within the town;
3. Regulations pertaining to the movement of persons from hazardous areas within the town;
4. Such other regulations necessary to preserve public peace, health and safety.

Nothing in this section shall be construed to limit the authority or responsibility of any department to proceed under powers and authority granted to them by state statute or town ordinance.

The Selectmen/Town Manager or his/her designee may order the evacuation of persons from hazardous areas within the town.

The Selectmen/Town Manager or his/her designee shall be authorized to request aid or assistance from the state or any political subdivision of the state and may render assistance to other political subdivision under the provisions of Title 37-B, M.R.S.A.

The Selectmen/Town Manager may obtain vital supplies; equipment and other items found lacking and needed for the protection of health, life and property during an emergency without following normal purchasing or formal bid procedures.

The provisions of this section will terminate at the end of the declared emergency.

Emergency Operational Plans

The Emergency Management Director shall prepare an all hazard emergency operational plan for the town, which shall be submitted to the Pembroke Selectmen for approval.

It shall be the responsibility of all municipal departments and agencies to perform the functions and assigned and to maintain their portions of the plan in a current state of readiness. The Selectmen/Town Manager, in conjunction with all the town department heads and the Emergency Management Director, shall review the town plan periodically.

Establishment of the National Incident Management System: The Town of Pembroke hereby establishes the National Incident Management System (NIMS) as the municipal standard for incident management. This system provides a consistent approach for Federal, State and municipal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity. NIMS will utilize standardized terminology, standardized organizational structures, interoperable communications, consolidate action plan, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters. All Pembroke emergency and disaster responders for incident management will utilize the MIMS Incident Command System (ICS).

Immunity form Liability

All Emergency Management Agency Forces, while engaged in Emergency Management Agency activities, shall be immune from liability, as set forth in Title 37-B, Section 822 M.R.S.A.

Compensation for Injuries

All of Emergency Management Agency Forces shall be deemed to be employees of the state when engaged in training or on duty and shall have all of the rights of state employees under the workmen's Compensation Act, as set forth in Title 37-B, Section 823 M.R.S.A.

Violation of Regulations

It shall be unlawful for any person to violate any provisions of this policy or of the regulations or plans issued pursuant to the authority contained herein, or to obstruct, hinder or delay any Emergency Management Agency Forces as herein defined in the enforcement of the provisions of this ordinance or any regulation or plan issued hereunder.

Penalty

Any person, firm or corporation violating any provision of this policy or any rule or regulation promulgated hereunder, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) and the costs of prosecution.

Severability

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

Conflicting Policies, Orders, Rules and Regulations Suspended

At all times when an emergency proclamation is in effect, the orders, rules, and regulations made and promulgated pursuant to this policy shall supersede all existing policies, ordinances, orders, rules and regulations, insofar as the latter may be inconsistent herewith.

