

## CHAPTER 5

### EMERGENCY SERVICES DEPARTMENT

#### 5.01 POLICY AND PURPOSE

- a. Emergency Services include Civil Defense and means all measures undertaken by or on behalf of Door County and its political sub-divisions to prepare for and carry out all emergency functions, other than that for which the military forces are primarily responsible, in order to minimize and repair injury and damage resulting from disasters caused by enemy attack, sabotage, or hostile action, or from fire, flood or other natural causes and to provide Emergency Medical Services including ambulance services as presently provided.
- b. By reason of increasing possibility of disaster of unprecedented size and destruction and frequent occurrences of natural disasters and to insure that plans and organizations shall be adequate to cope with such disasters and to provide for the common defense, to protect the public peace, health, safety, and general welfare, and economic stability, and to preserve the lives and property of the people of Door County, it is hereby declared necessary:
  1. To establish a County Emergency Services Ordinance as provided for by Wisconsin State Statutes. Chapter 166 of Wisconsin State Statutes.
  2. To provide for the exercise of necessary powers during civil defense emergencies.
  3. To provide for an Office of Emergency Services in Door County, which consists of Door County and all of its political subdivisions, that by ordinance agree to enter into an agreement for the provision of and receipt of services under this ordinance.

#### 5.02 EMERGENCY SERVICES COMMITTEE

- A. The Emergency Services Committee shall be the policy making and rule making committee for the establishment and development of all programs and plans necessary for the effective management of the Emergency Services for Door County. The committee shall review monthly reports, process matters relating to budget, expenditures, in accordance with regulations governing county procedures. Said committee shall meet monthly or as called upon by the chairperson. The Emergency Services Committee shall be a standing committee of the Door County Board appointed by the chairperson.
- B. When an emergency and/or input involves the City of Sturgeon Bay, the Emergency Services Committee will act in coordination with the City's designated representative.

#### 5.03 EMERGENCY SERVICES DIRECTOR

- A. The Office of the Emergency Services Director for Door County is hereby created as the head of Emergency Services. The director shall be appointed by the Door County Administrative Committee. The Emergency Services Director shall, upon appointment, take and file the Oath of Office as required by Federal Law.

#### **5.04 DUTIES AND RESPONSIBILITIES OF EMERGENCY SERVICES DIRECTOR.**

- A. Responsibilities shall include but not limited to the following:
1. Assure development and maintenance of disaster assistance plans to insure proper management of resources and citizens of Door County.
  2. Assure development and maintenance of an Emergency Operations Survival Plan for Door County consistent with State of Wisconsin Emergency Operations Plan.
  3. Direct county-wide Emergency Services training programs and test exercises.
  4. Supervises and controls all pre-hospital Emergency Medical Services activities for Door County.
  5. Process grant applications for the program.
  6. Assures coordination and direction of operations of all natural and man-made disasters.
  7. Oversees inspections and maintenance of all Emergency Services equipment.
  8. Manages all pre-hospital medical personnel (i.e. first responders, EMTs and Paramedics) as well as necessary secretarial staff.
  9. Coordinates and supervises the County Communications Center.
  10. Performs public relations duties.
  11. Supervises billing for services and maintaining appropriate medical records for emergency medical purposes.
  12. Works with the Emergency Management Director to advise the State Administrator of the Division of Emergency Government of all planning in and for Door County and renders such reports to the state as required.
  13. Attends area, state and Federal training programs subject to provision of the personnel policy.
  14. Works with Emergency Management Director to develop and update the Emergency Operations Plan for Door County and coordinates plans with the appropriate officials.
- B. In the absences or incapacity of the Emergency Services Director, the Deputy Director can assume full responsibilities and authority of the director. The Deputy Director is appointed in the same manner as the Director.

**5.05 UTILIZATION OF EXISTING SERVICES AND FACILITIES**

A. Policy

- 1. In preparing and executing the Emergency Services program, the services, equipment, supplies, and facilities of the existing departments and agencies of the County shall be utilized to the maximum extent practicable; and the officer and personnel of such departments and agencies are directed to cooperate with and extend such services and facilities as are required of them.

B. Responsibility

- 1. In order to assure that in the event of any emergency all facilities of the existing county government are utilized to the fullest to meet such emergency, the following specific responsibilities are assigned to the following department heads. The Emergency Management Director will assist them during an emergency and recruit necessary Emergency Services volunteers to supplement regular department employees.

County Sheriff-----Director of Policy Services  
 Highway Commissioner -----Director of Engineering Services  
 Social Services -----Director of Emergency Social Service  
 City Police Chief-----Director of City Police Services  
 City DPW Director -----Director of City Engineering Services  
 City Fire Chief-----Director of Fire Services

- 2. Other department heads not specifically named will fulfill emergency and non-emergency duties as assigned under the Door County Emergency Operation Plan.
- 3. Nothing in this section shall be construed as to limit the Emergency Management Director from immediately commencing organizational and planning programs as required by the Emergency Operations Plan.

**5.06 FINANCES**

- A. All funds necessary for the administration and operation of the Door County Emergency Services Department/Program and the development and implementation of an effective program shall be approved by the Door County Board of Supervisors.
- B. The obligation of funds necessary for the administration and management of an emergency situation within the City of Sturgeon Bay will be approved when needed by the Mayor or his designee.

**5.07 EMERGENCY REGULATIONS**

- A. Whenever necessary to meet a duly proclaimed emergency, the Door County Emergency Services Director, or Emergency Management Director may cause to be enforced such orders, rules, and regulations as shall be deem necessary to protect the public peace, health, and safety, preservation of lives and property, preserve the economic stability, insure cooperation, and regulate the conduct of the public.

## **5.08 DECLARATION OF EMERGENCY**

- A. Upon receipt, in Door County of an attack warning, or upon declaration of an emergency by the President of the United States, the Governor of the State of Wisconsin, the County Board Chairman or within the City of Sturgeon Bay, the Mayor of Sturgeon Bay, The Door County Emergency Management Director shall see that all proclamations have been issued and disseminated with reference to the State of Emergency and shall cause such emergency plans and operations to be placed into effect as are deemed necessary to cope with the situation.
- B. No such declaration of emergency issued by a local authority shall extend beyond a 30 day period unless by appropriate legislative action.

## **5.09 PENALTIES**

1. Any person who violated any of the provisions of this ordinance, shall forfeit not less than \$100.00, nor more than \$500.00 and in default of payment thereof, shall be imprisoned in the county jail for a period not exceeding 90 days.

This ordinance shall take effect on October 1, 1986. (Ord. #22-87; 4/21/87)

This ordinance shall take effect upon passage and the day following publication.  
(Ord. #4-97; 2/25/97)

## **5.11 ADOPTION OF ENHANCED 9-1-1 SYSTEM**

The Door County Board of Supervisors has authorized funding for a County-wide Enhanced 9-1-1 System and the State of Wisconsin has passed legislation allowing for a county to levy a charge on telephone customers to finance the costs relative to the installation and maintenance of an emergency number system.

The charge is included in the regular telephone bill and does not exceed \$1.00 per month per access line or line equivalent for the first three years of operation and does not exceed \$.40 per month per access line or line equivalent after the three years. The Public Service Commission (PSC) will determine access line equivalencies under its regular tariff procedures.

The County Board recognizes the actual costs beyond the \$.40 per month after three years would be borne by County tax dollars unless the Wisconsin Legislature raises the \$.40 ceiling. The County Board has authorized spending up to \$40,000 in fiscal year 1993 and up to \$40,000 in fiscal year 1994 for equipment and services associated with implementing the system.

The Door County Board of Supervisors directs that the County adopt an Enhanced 9-1-1 System, and that the costs of the operation of the system be established by the PSC and be borne by the telephone users.

(Ord. #11-89; 3/28/89) (Res. #30-88; 4/19/88) (Res. #109-86; 11/12/86) (Res. #3-93; 1/26/93)

## **5.12 SUBSTANCE RELEASE**

1. **Containment, Cleanup and Restoration.** An owner, controller or hauler, except those specifically sanctioned to perform waste disposal, hazardous material collection or landfill activities, who releases or causes the release into the ecosystem of Door County any solid, liquid, vapor or gaseous substance that creates a hazard, potential hazard, public nuisance, health risk, or a deleterious effect upon the environment shall, upon direction of any emergency government, law enforcement or fire department representative having jurisdictional authority, begin immediate actions to contain, cleanup and remove to an approved repository the offending substance(s) and restore the site to its original condition. Should any owner, controller or hauler of a released solid, liquid, vapor or gaseous substance fail to comply or to complete the requirements of this section in a time-frame that is acceptable to the emergency government, law enforcement or fire department representative having jurisdictional authority, such public official(s) may order the containment, cleanup and restoration actions to be taken by public or private agencies.
2. **Pecuniary Responsibility.** An owner, controller or hauler of a released solid, liquid, vapor or gaseous substance per subsection (1) shall be responsible for all reasonable and necessary expenses incurred in the containment and cleanup of the released substance(s) and restoration of the site per subsection (1) of this ordinance, including reimbursement to the responding agencies for all reasonable and necessary expenses incurred in carrying out their duties under this ordinance.
3. **Reimbursement.** A responding agency seeking reimbursement under subsection (2) shall submit a claim stating its expenses to the Local Emergency Planning Committee (LEPC). The LEPC shall review such claims and determine the amount of reasonable and necessary expenses incurred. The LEPC shall provide an individual, firm or corporation that is pecuniarily liable for reimbursement under subsection (2) with a written notice of the amount of expenses it has determined to be reasonable and necessary that arise from a substance release under subsection (1) and are incurred by all responding agencies from which the LEPC has received a claim. If an individual, firm or corporation receiving such a notice objects to the amount of claimed expenses, the individual, firm or corporation may petition the LEPC in writing within 10 days of that notice that the committee review its determination. Such request must state specific objections to claimed expenses and offer concise rationale for the objections. The LEPC may modify its determination and shall notify the individual, firm or corporation of the result of its review. An individual, firm or corporation that is pecuniarily liable under subsection (2) shall make direct reimbursement to each responding agency.
4. **Site Access.** Access to any site, public or private, where a prohibited release is indicated or suspected will be provided to emergency government, law enforcement or fire department representatives having jurisdictional authority for the purpose of evaluating the threat to the public and monitoring containment, cleanup and restoration activities.
5. **Public Protection.** Should any prohibited release occur that threatens the life,

safety or health of the public at, near, or around the site of a prohibited release, and that the situation is so critical that immediate action must be taken to protect life, safety or health, the incident commander or emergency government, senior law enforcement or fire department representative having jurisdictional authority on the scene may order an evacuation of the area or take other appropriate measures, as necessary.

6. **Enforcement.** The Director and Coordinator of Emergency Government, Sheriff and Sheriff's Deputies, and the law enforcement and fire department officials of their respective local jurisdictions, shall have the authority to issue citations or complaints under this Chapter.
7. **Civil Liability.** Any individual, firm or corporation in violation of this Chapter shall be liable to the County for any expenses incurred by the County or loss or damage sustained by the County by reason of such violation.
8. **Procedure for Enforcement of this Ordinance.**
  - a. Any persons subject to the provisions of this ordinance may stipulate to the guilt or no contest and may pay to the Sheriff or Clerk of Court a bond according to a schedule prescribed by the Circuit Court of Door County, which is presently set forth in paragraph 8(b) of this ordinance. Such stipulation will make it unnecessary for the subject charged to appear in Court and will act as a basis for the Court to enter judgement and order forfeiture of the bond. Forfeitures, penalty assessments, costs, and fees shall be disbursed as provided in Wisconsin Statutes Section 66.12.
  - b. Schedule of Deposits. Deposits shall be made in cash, money orders, or certified check to the Clerk of Door County Circuit Court or the Sheriff of Door County who shall provide a receipt therefore. And the amount of the bond schedule is hereto fixed at \$100 plus surcharges in such amount that the Circuit Court of Door County hereafter affixes.
  - c. Adoption of this ordinance does not preclude the County Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter. And issuance of a citation hereunder shall not preclude the county or any authorized officer from proceeding under any other ordinance or law or by other enforcement method to enforce any ordinance, regulation or order.
  - d. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Wisconsin State Statutes References:

ACT 256; 101.14(1); 101.141; 144.76; 165.55(1)(10); 213.095

Code of Federal Registry Title 49, Section 263.31

(Ord. 10-94; 5/24/94)