

Bonneville County Emergency Management



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EMERGENCY MANAGEMENT ORDINANCE 160-93 BONNEVILLE COUNTY, IDAHO

I. PURPOSE

The declared purposes of this ordinance are to provide for the preparation and carrying out of plans for the protection of persons and property within this county in the event of a disaster or emergency; to set forth the line of succession of authority for continuity of county government; and to provide for the coordination of the emergency management functions of this county with all other public agencies and affected private persons, corporations, and organizations. Any expenditures made in connection with such emergency management activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of Bonneville County. The October 28, 1980, Bonneville County Ordinance relating to Civil Defense is repealed herewith, updated, and replaced with this ordinance.

II. DEFINITIONS

- A. Emergency Management: As used in this ordinance, the term "emergency management" shall mean the preparation for and carrying out of all emergency functions to prevent, minimize, respond to, and repair injury and damage resulting from a disaster other than functions for which military forces are primarily responsible or for search and rescue missions that are the responsibility of the Sheriff. It shall not include, nor does any provision of this ordinance apply to any condition relating to a labor controversy.



- B. Disaster: As used in this ordinance, the term "disaster" shall mean an occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from a natural or man-made cause including but not limited to fire, flood, earthquake, windstorm, wave action, volcanic activity, explosion riot, or hostile military or paramilitary action.
- C. Emergency: As used in this ordinance the term "emergency" shall mean an occurrence or imminent threat of a disaster or condition threatening life or property which requires state emergency assistance to supplement local efforts to save the lives and protect property, or to avert or lessen the threat of a disaster.
- D. Local Disaster Emergency: A local disaster emergency may be declared only by a mayor or chairman of the county commissioners, within their respective political subdivisions. It shall not be continued or renewed for a period in excess of seven (7) days, except by or with the consent of the governing board of the political subdivisions. Any order or proclamation declaring, continuing, or terminating a local disaster emergency shall be given prompt and general publicity and shall be filed promptly with the local county recorder.

III. BONNEVILLE COUNTY EMERGENCY MANAGEMENT ORGANIZATION: MEMBERSHIP

The Bonneville County Emergency Management Organization consists of the following six major groups:

- A. Executive Group - Bonneville County Board of Commissioners and the Bonneville County Emergency Management Services Director. A mayor becomes a part of the Executive Group when a disaster emergency is declared in their municipality.
- B. Services Group - Members of the county administrative services staff, legal representatives, and the Emergency Public Information Annex Coordinator.
- C. Analysis Group - The Damage Assessment and Radiological Protection Annex Coordinators.
- D. Operations Group - The Fire; Law Enforcement; Communications; Warning; Evacuation; Public Works; Health, Medical, and Mortuary; and Hazardous Materials Incident Response Annex Coordinators
- E. Support Group - Resource Management; Human Services; and Shelter, Reception, and Care Annex Coordinators.

- F. Liaison Agencies Group - Representatives of state and federal agencies; industry; public utilities; schools; volunteer agencies; and mayors.

IV. BONNEVILLE COUNTY EMERGENCY MANAGEMENT ORGANIZATION: DUTIES

The Bonneville County Emergency Management Organization, is hereby empowered to review and recommend for adoption, by the Board of Commissioners, emergency management and emergency operations plans, mutual aid agreements, and such ordinances, resolutions, rules, and regulations as are necessary to implement such plans and agreements.

V. BONNEVILLE COUNTY EMERGENCY MANAGEMENT SERVICES DIRECTOR: DUTIES

The Director of the Emergency Management Services is the administrative head of the Bonneville County Office of Emergency Management Services and Director of the Emergency Operations Center. The Director shall be appointed by the Board of Commissioners, and reports to the Chairman of the Board of Commissioners. The Director is hereby empowered to:

- A. Act as chief of staff of the Bonneville County Emergency Management Organization and to direct county efforts to accomplish the purposes of this ordinance.
- B. Facilitate coordination and cooperation between divisions, services, and staff of the Emergency Management Organization of this county, and to resolve questions of authority and responsibility that may arise between them.
- C. Develop emergency operations plans and programs for emergency preparedness, response, and recovery actions which are consistent with national and state plans and programs, and shall have such other duties as may be assigned by the Board of Commissioners
- D. Establish and maintain an Emergency Operations Center for coordinating and directing emergency operations.
- E. Represent the Emergency Management Organization of this county in dealings with public or private agencies pertaining to emergency management and disaster relief.
- F. Provide for updating and testing of the county Emergency Operations Plan.
- G. Coordinate mutual aid agreements between the county, cities, towns, and municipalities.

- H. In the event that the Bonneville County Emergency Management Services Director is absent or unable to function in that capacity, the Chairman or a designated Member of the Board of County Commissioners shall serve as, or shall appoint an alternate as Director. The Bonneville County Sheriff and the joint City/County Dispatch Center shall be advised as to whom is Acting Director and how the Acting Director can be contacted in a disaster/emergency.

VI. CONTINUITY OF COUNTY GOVERNMENT

The line of succession of authority for the continuity of government under such circumstances as an emergency or catastrophic disaster, and the authority to declare a local disaster emergency is as follows: The Chairman of the Board of Commissioners; next would be the Commissioner with longest time in office; third Commissioner; Sheriff; then Clerk; Assessor; Treasurer; Prosecuting Attorney; and then Coroner.

VII. LOCAL DISASTER EMERGENCY DECLARATIONS

- A. A declaration of local disaster emergency shall activate the Bonneville County Emergency Operations Plan and shall be the authority for use or distribution of any supplies, equipment, materials, or facilities assembled or arranged to be made available pursuant to such plans.
- B. This ordinance provides authority and enforcement power for the Bonneville County Emergency Management Organization to take whatever action is necessary to protect life and property during a declared local disaster emergency, including the following, when authorized by competent authority:
 - 1. Suspend or limit the sale, dispersing, or transportation of alcoholic beverages, firearms, ammunition, explosives, and combustibles.
 - 2. Establish curfews, including but not limited to the prohibition of or restrictions, on pedestrian and vehicular movement, standing, and parking – except for the provision of designated essential services, such as fire, police, emergency medical services, and hospital services, including the transportation of patients, utility emergency repairs, and emergency calls by physicians.
 - 3. Utilize all available resources of the county government as reasonably necessary to cope with the disaster emergency.

4. Require the emergency services of any county officer or employee, and in the event of the proclamation of a state disaster emergency by the Governor in the region in which this county is located, to command the aid of as many citizens of this county as is necessary for successful completion of emergency measures. Such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered emergency management services worker-volunteers.
5. Declare certain areas off limits.
6. Make provisions for the availability and use of temporary emergency housing and the emergency warehousing of materials.
7. Establish emergency operating centers and shelters in addition to or in place of those identified in the emergency operations plan.
8. Declare that during an emergency it shall be unlawful and an offense against Bonneville County for any person, firm, or corporation operating within the county to charge more than the normal average retail price for any merchandise, goods, or services sold during the emergency.
9. To obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of the life and property of the people, and bind the county for the fair market value thereof, and if required immediately, to commandeer the same for public use.

VIII. OVERALL AUTHORITY

Chiefs of city and county government have responsibility and accountability for, and final authority over, emergency operations as they do day-to-day government.

IX. PUNISHMENT OF VIOLATIONS

It shall be a misdemeanor, punishable by a fine of not to exceed \$300.00 or by imprisonment not to exceed three (3) months or both, for any person, firm, or corporation, who during a declared local disaster emergency:

- A. Refuses to comply with or violates any section of this ordinance, or the emergency measures which may be made effective pursuant to this ordinance.

- B. Willfully obstructs, hinders or delays any member of the Bonneville County Emergency Management Organization in the enforcement of any lawful rule or regulation issued pursuant to this ordinance, or in the performance of any duty imposed by virtue of this ordinance.
- C. Does any act forbidden by any lawful rules or regulations issued pursuant to this ordinance, if such acts will imperil the lives or property of inhabitants of this county, or to prevent, hinder, or delay the protection thereof.
- D. To wear, carry, or display without authority, any means of identification specified by the Bonneville County Emergency Management Organization, or any agency of the state.

X. REPEAL OF CONFLICTING ORDINANCES

Any existing Civil Defense or disaster ordinance or rules, regulations, or resolutions, in regard to emergency management in Bonneville County, is hereby repealed and superseded by this ordinance provided that it is the intent of the Board of County Commissioners in enacting this ordinance that it shall be considered a revision and continuation of the ordinances repealed by this ordinance, and the status of volunteers shall not be affected by such repeal; nor shall emergency management and disaster mutual aid plans and agreements, rules and regulations, or resolutions adopted pursuant to such repealed ordinance be affected by such repeal until amended, modified, or superseded as provided in this ordinance.

XI. EFFECTIVE DATE

This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately.

XII. NON-DISCRIMINATION

The county's program of non-discrimination in disaster assistance will be carried out and is in accordance with Section 67-5905, Idaho Code, applicable Federal Laws, and implementing regulations.

XIII. IMMUNITY FROM LIABILITY

Authorized personnel engaged in emergency management or disaster relief activities and persons, agencies, or any other entity providing building or premises designated by proper authority as emergency shelters have immunity from liability for property damage, bodily injury, or death as cited in sections (46-1016 and 1017) of the "Idaho Disaster Preparedness Act of 1975" and where willful misconduct on the part of the property owner does not exist.

XIV. SEVERABILITY

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application and to this end the provisions of this ordinance are declared to be severable.

PASSED AND APPROVED by the Board of County Commissioners, Bonneville County, Idaho, this 7th day of September 1993.


Clifford V. Long, Chairman

ATTEST:


Ronald Longmore, Clerk