

**Article 0807-10: EMERGENCY MANAGEMENT ORDINANCE**

The Selectmen of the Town of Morristown hereby ordain:

Article I - Office of Emergency Management

Section I. Intent and Purpose

- A. It is the intent and purpose of this ordinance to establish an office that will ensure the complete and efficient utilization of all the Town's facilities to combat attacks or other disasters as defined herein.
- B. The Town of Morristown Office of Emergency Management will be the coordinating agency for all activity in connection with emergency management; it will be the instrument through which the Town Selectmen may exercise the authority and discharge the responsibilities vested in them in Title 20, § 6 VSA, and as amended in this ordinance.
- C. This ordinance will not relieve any Town Department of the moral responsibilities or authority given to it in the Town Charter or by local ordinance, nor will it adversely affect the work of any volunteer agency organized for relief in disaster emergencies.

Section II. Definition

The following definitions shall apply in the interpretation of this Article:

- A. EMERGENCY MANAGEMENT means the preparation for and carrying out of all emergency functions, other than the functions for which military forces or other federal agencies are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters caused by enemy attack, sabotage, or other hostile action or from flood, fire, storm, or other natural causes, or from radiological incidents or hazardous chemical or substance incidents and the preparation and planning designed to insure that this town is prepared to deal with such disaster or emergencies and includes civil defense activities.
- B. ATTACKS shall mean a direct or indirect assault against the Town of Morristown, its environs, or of the nation, by the forces of a hostile nation or the agents thereof, including assault by bombing, radiological, chemical or biological warfare, or sabotage.
- C. DISASTER includes but is not limited to actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic or other impending or actual emergency or calamity endangering or threatening to endanger health, life or property or constituted government.

- D. EMERGENCY MANAGEMENT FORCES shall mean the employees, equipment and facilities of all Town Departments, boards, institutions and commissions; in addition, it shall include all volunteer personnel, equipment and facilities contributed by, or obtained from, volunteer persons or agencies.
- E. VOLUNTEER shall mean contributing a service, equipment or facilities to the emergency management organization without enumeration.
- F. EMERGENCY MANAGEMENT VOLUNTEER shall mean any person duly registered, identified and appointed by the Town of Morristown Emergency Management Coordinator, appointed as prescribed in this ordinance.
- G. DIRECTOR shall mean the Town Chairman of the Board of Selectmen or his designated alternate duly appointed in accordance with the Town Charter.
- H. EMERGENCY MANAGEMENT COORDINATOR shall mean the Chairman of the Town of Morristown Office of Emergency Management, appointed as prescribed in this ordinance.
- I. REGULATIONS shall include plans, programs and other emergency procedures deemed essential to emergency management.

### Section III. Organization and Appointments

- A. The Town Selectmen are hereby authorized and directed to create an organization for emergency management utilizing to the fullest extent the existing agencies within this Town. The Town of Morristown chairman of the Board of Selectmen, as executive head of the municipal government, shall be the Director of the Emergency Management forces of this Town and shall be responsible for their organization, administration and operations.
- B. The Organization shall consist of the following:
  - 1. An Office of Emergency Management within the executive department of the Town government and under the direction of the Town Selectmen. There shall be an executive Management Coordinator and such assistants and other employees as are deemed necessary for the proper functioning of the organization.
  - 2. The employees, equipment and facilities of all Town departments, boards, institutions and commission, will participate in the emergency management activity. Duties assigned to the Town department shall be the same or similar to the normal duties of the department.
  - 3. Volunteer persons and agencies offering service to, and accepted by, the Town.
- C. The Emergency Management Director (Chairman of the Board of Selectmen) shall appoint the Town Emergency Management Coordinator (with consent of the Board of Selectmen)

who shall be a person well versed and trained in planning operations involving the activities of many different agencies which will operate to protect the public health, safety and welfare in the event of danger from enemy action or disaster as defined in this ordinance.

- D. The Emergency Management Director shall designate and appoint Deputy Directors to assume the emergency duties of the director in the event of his absence or inability to act. (This designation to be compatible with the provisions of the Town Charter. The intent being that there always and at all times be an Emergency Management Director in charge of the Town.)

#### Section IV. Emergency Powers and Duties.

A. The Chairman of the Board of Selectmen.

1. The Emergency Management Director may exercise the emergency power and authority necessary to fulfill his general powers and duties as defined in the Town Charter. The judgment of the Emergency Management director shall be the sole criteria necessary to invoke emergency powers provided in the Town Charter, the Ordinance Code and other appropriate authorities. The Town Selectmen may convene to perform its legislative and administrative powers as the situation demands, and shall receive reports, relative to emergency management activities. Nothing in this Ordinance shall be construed as abridging or curtailing the powers or restriction of the Town Selectmen as defined in the Town Charter.
2. During any period when disaster threatens or when the Town has been struck by disaster, within the definition of this Ordinance, the Town Chairman of the Board of Selectmen may promulgate such regulations as he deems necessary to protect life and property and preserve critical resources. Such regulations may include, but shall not be limited to, the following:
  - a. Regulations prohibiting or restricting the movement of vehicles in order to facilitate the work of emergency management forces, or to facilitate the mass movement of persons from critical areas within or without the Town.
  - b. Regulations pertaining to the movement of persons from areas deemed to be hazardous or vulnerable to disaster.
  - c. Such other regulations necessary to preserve public peace, health and safety.
  - d. Regulations promulgated in accordance with the authority above will be given widespread circulation by proclamations published and uttered by newspaper and radio. These regulations will have the force of Ordinance when duly filed with the Town Clerk and violations will be subject to the penalties provided in the Town Charter.
3. The Emergency Management Director shall order emergency management forces to the aid of other communities when required in accordance with statutes of the state, and he may request the state, or a political sub-division of the state, to send aid to the Town of Morristown in case of disaster when conditions in the Town are beyond the

- control of the local emergency management forces.
4. Emergency Management Director may obtain vital supplies, equipment and other properties found lacking and needed for the protection of health, life and property of the people, and bind the Town for the fair value thereof.
  5. Emergency Management Director may require emergency services of any Town officer or employees. If regular Town forces are determined inadequate, the Director may require the services of such other personnel as he can obtain that are available, including citizen volunteers. All duly authorized persons rendering emergency services shall be entitled to the privileges and immunities as provided by state law, the Town Charter, and Ordinances for regular Town employees and other registered and identified emergency management and disaster workers.
  6. The Emergency Management Director will exercise his ordinary powers as Chairman of the Board of Selectmen and all of the special powers conferred upon him by the Town Charter and the Ordinance Code of the Town of Morristown, all powers conferred upon him by any statute, or any other lawful authority.

B. Town Emergency Management Coordinator

1. The Town Emergency Management Coordinator shall be responsible to the Director in regard to all phases of the emergency management activity. Under the supervision of the Director, he shall be responsible for the planning, coordination and operation of the emergency management activity in the Town. Under supervision of the Director, he shall maintain liaison with the state and federal authorities of other nearby political sub-divisions as to ensure the most effective operation of the Emergency Management plan. His duties shall include, but not be limited to, the following:
  - a. Coordinating the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the Town for emergency management purposes.
  - b. Development and coordination of plans for the immediate use of all the facilities, equipment, manpower and other resources of the Town of the purpose of minimizing or preventing damage to persons and property and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety and welfare.
  - c. Negotiating and concluding agreements with other owners or persons in control of buildings or other property for the use of such building or other property for the emergency management purposes and designation suitable building as public shelters.
  - d. Through public informational programs, educating the civilian populations as to actions necessary and required for the protection of their persons and property in case of enemy attack, or disaster, as defined herein, either impending or present.
  - e. Conducting public practice alerts to ensure the efficient operation of the emergency management forces and to familiarize residents with emergency management regulations, procedures and operations.

- f. Coordinating the activity of all other public and private agencies engaged in any emergency management activity.
- g. Assuming such authority and conducting such activity as the Director may direct to promote and execute the emergency management plan.

#### Section V. Violation of Regulations

It shall be unlawful for any person to violate any of the provisions of this Ordinance or the Regulations of Plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay any member of the emergency management organization as herein defined in the enforcement of the provisions of this Ordinance or any Regulation or Plan issued there under.

#### Section VI. Penalty

Any person, form or corporation violating any provisions of this Ordinance, or any Rule or Regulation formulated there under, upon conviction thereof, shall be punished pursuant to Town charter or Amendments thereto.

#### Section VII. Severability

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

#### Section VIII. Conflicting Ordinances, Orders, Rules and Regulations Suspended

At all times when the orders, rules and regulations made and promulgated pursuant to this Article shall be in effect, they shall supersede all existing ordinances, orders, rules and regulations in so far as the latter may be inconsistent therewith.

Dated at the Town of Morristown, County of Lamoille and State of Vermont this 29th day of August 1994.

#### **Town of Morristown Selectboard**

Brian Greenia, Chair  
Ronald Stancliff

Donald Anderson

Thomas Hirschak, Jr.  
Steve Leach