

Chelsea Emergency Management Ordinance

1. Title and Authority

This Ordinance shall be known and may be cited and referred to as the “Chelsea Emergency Management Ordinance”

The Ordinance shall be adopted consistent with the provisions of 37-B MRSA 781 et seq. and pursuant to the home rule authority of the Town.

2. Establishment of the Chelsea Emergency Management Agency

There is hereby established within the Office of the Selectmen an Agency that shall be responsible for emergency management and preparedness within and for the Town of Chelsea. It shall be known as the “Chelsea Emergency Management Agency” (CEMA).

3. Purpose

The purpose of this Ordinance is to provide for the efficient organization and operation of all aspects of the emergency management and preparedness for the Town of Chelsea.

This Ordinance is not intended to relieve any other Town department or office from the responsibilities or authority given to it, nor is it intended to conflict with the work of any volunteer Agency to provide support in any emergency event.

4. Definitions

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

Agency- means the Chelsea Emergency Management Agency and its resources, including employees, volunteers, committees, and its facilities and equipment.

Chairperson or alternate of the Board of Selectmen- means the Chairperson of the Board, or, if absent or unable to act, the remaining majority of the Board of Selectperson who are present and able to act.

Director- means the Director of the Emergency Management Agency of the Town of Chelsea.

Disaster or Emergency- means an occurrence or event so designed by the Chairperson of the Board of Selectmen or his alternate and it includes 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 contaminates requiring emergency action to avert danger or damage, epidemic, air contamination, blight, drought, critical material shortage, infestation, explosion, riot or hostile military or paramilitary action.

Emergency Management-means those activities which are necessary to ensure that during a disaster or emergency, the Town can, to the extent possible, carry out basic governmental functions of maintaining the public peace, health, safety and welfare. This shall include plans and preparations for protection from, and for relief, recovery and rehabilitation from, the effects of any disaster or emergency.

Emergency Management Appointee or Volunteer- means any person duly registered with the Agency or volunteering and assigned to participate in CEMA activities.

5. Organization and Responsibilities

Selectmen

The Board of Selectmen of the Town of Chelsea shall be generally responsible for appointing a Director of Chelsea's Emergency Management Agency. The Selectmen will oversee and help the Director with organization, administration, and operation. The Director and or the Board of Selectmen shall declare the onset and termination of any disaster or emergency.

The Director or the Board of Selectmen shall confer with each other and share when an emergency or disaster has been declared.

The Agency will be responsible for coordinating all Town activity in connection with emergency management and preparedness.

The Agency may utilize such permanent and temporary appointees and volunteers as deemed necessary and may prescribe their duties and responsibilities.

Director

The Agency shall have a Director who shall coordinate activities of the Agency and all other Town departments, offices, organizations and persons within the Town having involvement in the emergency management and preparedness.

The Director shall be appointed by the Board of Selectmen and can be removed by the Board for having just cause.

Duties

1. Prepare and maintain a current disaster emergency plan for the Town.
2. Confer with county, state and federal agencies to ensure continuity and coordination in the plans for responding to a disaster or emergency.
3. Develop, or cause to be developed, mutual aid agreements in case disasters or emergencies are too great to be dealt with un-assisted.
4. Direct the development and implementation of public information programs to keep residents informed regarding possible local disasters or emergencies, and regarding the role every resident should play in the response to such events.

5. Direct the development and implementation of training programs to prepare CEMA appointees, volunteers and other Town Officials and agencies for various emergency management operations.
6. Obtain and maintain information regarding facilities, equipment and resources within the Town, which could be used in a disaster or emergency.
7. Ensure the establishment, maintenance and testing of the public alerting system.
8. Identify residents having special needs and what care or management they may need in a disaster or emergency.
9. Establish and help manage an Emergency Operation Center.
10. Account to the Board of Selectmen regarding the use of funds provided to the Agency.
11. Keep the Town Manager and the Board of Selectmen informed of all CEMA matters.

6. National Incident Management System (NIMS)

Chelsea hereby establishes the National Incident Management System (NIMS) as municipal standard for incident management. This system provides a consistent approach for federal, state and municipal government to work together. All Chelsea emergency and disaster responders for incident management will utilize the NIMS system.

7. Authority Under Emergency Conditions

During any period of impending or actual disaster or emergency, as declared by the Board of Selectmen or if unable to act or absent by the Director of CEMA the following provisions shall apply:

A. Orders, rules and regulations.

The Board of Selectmen, or if absent or unable to act, the Director may promulgate such orders, rules and regulations as they deem necessary to protect the health, safety, welfare and property of the Townspeople. Such order, rules and regulations may include but are not limited to the following:

1. Prohibit or restrict the movement of vehicles in order to facilitate CEMA work or to facilitate the movement of persons within the Town.
2. Govern the movement of persons from areas deemed hazardous or vulnerable to the disaster.
3. Other orders, rules and regulations necessary to preserve or promote the health, safety and welfare of the public during an impending disaster or emergency.

B. Obtain Supplies; Payments

The Director or Selectmen may obtain vital supplies, equipment and other property which is or may be lacking and which is needed for the protection of health, safety, welfare and protection of property and people. Payments shall be tracked and the Board of Selectmen may obligate the Town to pay fair value thereof if all existing funds for this purpose have been spent.

C. Request for Additional Aid

The Board of Selectmen and or the Director are directly and separately authorized to request aid and or assistance from County, State and any political subdivision of the State or any other source.

D. Town Assistance; volunteers; payment and coverage

The Board of Selectmen and or the Director may require assistance of any Town Official or employee in the emergency management effort, and if the response is determined to be inadequate the CEMA may require the services of such other personnel as they can obtain, including citizen volunteers.

All duly authorized and registered persons rendering emergency services shall be entitled to the privileges and immunities provided by State and local law for regular Town employees and other registered and identified civil defense and disaster workers, and such persons may, upon demand, receive reimbursement for appropriate "out of pocket" expenses for their emergency employment. All such persons shall be deemed to be employees of the Town when engaged in training or when on duty with the Agency, and they shall have all the rights of employees under the Workman's Compensation Act as specified in Title 37-B M.R.S.A. Section 828, as amended.

E. Right of Way.

Personnel and equipment required to respond to a disaster and emergency shall obey all traffic laws and shall have the right-of-way over all public ways and roads, and for anyone failing to grant said right-of-way shall suffer penalties as specified under Title 37-B M.R.S.A. Section 828.

Nothing in this section shall be constructed to limit the authority or responsibility of any department to proceed under the powers and authority granted to it by Town Ordinance or other laws.

The provisions in this section shall terminate when the disaster or emergency situation is declared to have ended.