

CHAPTER 32: EMERGENCY MANAGEMENT

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32.01 OFFICE OF EMERGENCY MANAGEMENT; CREATION.

(A) There is hereby created the Shelby County Office of Emergency Management, in accordance with the provisions of KRS 39B.010, which shall serve in the interest of public safety within the territorial boundaries of Shelby County.

(B) The Shelby County Office of Emergency Management shall develop, implement, and maintain the local comprehensive emergency management program for Shelby County in accordance with the provisions KRS Chapters 39A to 39F, the comprehensive emergency management program requirements of the state Division of Emergency Management, the provisions of the Kentucky Emergency Operations Plan, administrative regulations promulgated by the state Division of Emergency Management, and the resolutions, orders or ordinances of the Fiscal Court of Shelby County.

(C) The Shelby County Office of Emergency Management shall be an organization unit of county government attached to the Office of County Judge/Executive and shall have primary jurisdiction, responsibility, and authority for all matters pertaining to the comprehensive emergency management program of Shelby County.

(D) The Shelby County Office of Emergency Management shall meet all requirements for a local emergency management agency as specified in KRS Chapters 39A to 39F, and shall serve as the executive branch of the Shelby County Disaster and Emergency Services organization established pursuant to KRS 39B.050.

(E) The Shelby County Judge/Executive shall designate, prepare, and include a separate Office of Emergency Management budget unit classification within each annual fiscal year Shelby County budget, and all financial matters of the Shelby County Office of Emergency Management shall be handled through the County Treasury and uniform budget system.

(Ord. 11-5-06, passed 11-5-2002)

‘ **32.02 EMERGENCY MANAGEMENT DIRECTOR; APPOINTMENT.**

(A) The County Judge/Executive, within 30 days of assuming office, shall appoint a Shelby County Emergency Management Director in accordance with the provisions of KRS 39B.020, and shall immediately notify the state Division of Emergency Management of the appointment.

(B) The Shelby County Emergency Management director, appointed pursuant to this section, shall be sworn by oath to the office of Emergency Management Director immediately upon appointment, and shall serve at the pleasure of the County Judge/Executive, but shall serve no longer than 4 consecutive years without reappointment and, as a minimum, shall meet all the qualification requirements as specified in KRS 39B.020.

(Ord. 11-5-06, passed 11-5-2002)

‘ **32.03 DIRECTOR=S POWERS AND DUTIES.**

The Shelby County Emergency Management Director shall have and exercise all the powers, authorities, rights, and duties as specified in, or referenced in KRS 39B.030, and in the orders or ordinances of the Fiscal Court of Shelby County, to include the following:

(A) To represent the County Judge/Executive on all matters pertaining to the comprehensive emergency management program and the disaster and emergency response of Shelby County;

(B) To be the executive head of, and chief administrative officer of, the Shelby County Office of Emergency Management and direct, control, supervise, and manage the development, preparation, organization, administration, operation, implementation, and maintenance of the comprehensive emergency management program of Shelby County;

(C) To develop, update, and maintain the Shelby County Emergency Operations Plan in compliance with the provisions of KRS 39B.030(3);

(D) To establish and maintain the Shelby County Disaster and Emergency Services organization in accordance with the provisions of the Shelby County Emergency Operations Plan, the Kentucky Emergency Operations Plan, and the provisions of KRS 39B.050;

(E) To notify the County Judge/Executive and the state Division of Emergency Management immediately of the occurrence, or threatened or impending occurrence, of any emergency, declared emergency, disaster, or catastrophic incident or situation, and provide in the notice an assessment of possible or actual damages or threats to life, health, safety, property, or the environment, and recommend any emergency actions or orders which should be executed;

(F) To be the chief advisor to, and the primary on-scene representative of, the County Judge/Executive in the event of any emergency, declared emergency, disaster, or catastrophe within Shelby County in a coordinating capacity;

(G) To respond and have full access to the scenes of an emergency, declared emergency, disaster, or catastrophe and immediately investigate, analyze, or assess the nature, scope, or seriousness of all situations; coordinate the establishment and operation of an incident command or management system; execute the provisions of the Shelby County Emergency Operations Plan; activate the Shelby County Emergency Operations Center or on-scene command post; convene meetings, gather information, and conduct briefings; notify the County Judge/Executive and the state Division of Emergency Management immediately of the nature, scope or seriousness of an emergency situation and provide information on all on-going response actions being taken in association with the incident; provide any assistance requested, as deemed necessary or appropriate; and take any actions to fully expedite and coordinate the local disaster and emergency response as specified in the Shelby County Emergency Operations Plan;

(H) To take or direct immediate actions to protect public safety at the direction of the County Judge/Executive during any declared emergency or disaster;

(I) To act as an official representative of the state Division of Emergency Management when specifically requested by the State Director;

(J) To report directly to the County Judge/Executive and act in an official policy-making capacity when carrying out all duties of Emergency Management Director;

(K) To have full signatory authority for execution of all contracts, agreements, or other official documents pertaining to the administration, organization, and operation of the Shelby County Office of Emergency Management and the local comprehensive emergency management program;

(L) To direct all paid or volunteer employees, staff assistants, or other workers of the Shelby County Office of Emergency Management, and supervise any operating units and personnel associated with it which are officially appointed and affiliated with the Shelby County Disaster and Emergency Services organization pursuant to the provisions of KRS 39B.070;

(M) To prepare and submit regular or scheduled program activity reports to the area manager of the state Division of Emergency Management and the County Judge/Executive;

(N) To execute bond in the amount as determined by the County Judge/Executive, when directed by the County Judge/Executive;

(O) To prepare and submit to the County Judge/Executive, on an annual basis by the first day of March, a program and agency budget request for the Shelby County Office of Emergency Management;

(P) To prepare and submit to the state Division of Emergency Management, on an annual basis by July 15, a fiscal year program paper and budget request for the Shelby County Office of Emergency Management;

(Q) To enroll and be a registered member of the Kentucky Emergency Management Association;

(R) To perform the duties of, or appoint with the approval of the Shelby County Fiscal Court, the local Search and Rescue Coordinator pursuant to the provisions of KRS 39F.200; and

(S) To perform all executive, administrative, organizational, or operational duties and tasks required pursuant to KRS Chapters 39A to 39F, Kentucky administrative regulations, the Kentucky Emergency Operations Plan, or program guidance issued by the state Division of Emergency Management; and to carry out all other emergency management-related duties as required by the resolutions, orders, or ordinances of the Shelby County Fiscal Court, the executive orders of the County Judge/Executive, and the provisions of the Shelby County Emergency Operations Plan.
(Ord. 11-5-06, passed 11-5-2002)

32.04 OPERATING UNITS.

(A) Pursuant to KRS 39B.070(3), the following entities shall constitute the Emergency Management agency supervised operating units or personnel within the Shelby County D.E.S. organization, pursuant to KRS 39B.050(1)(c):

- (1) Rescue Squad;
- (2) Urban Search and Rescue Team;
- (3) Dive Rescue and Recovery Team;
- (4) Search Dog Team;
- (5) Weather Spotters;
- (6) Auxiliary Police;
- (7) Communications;

- (8) Public Information;
- (9) Alerting and Warning;
- (10) Radiological Protection;
- (11) Administrative;
- (12) Emergency Operations Center Staff;
- (13) Social Services; and
- (14) WMD/Hazardous Material Response Team;

(B) The operating units listed above in divisions (A) (1), (2), (3), (4), (5), (6), (13), and (14), shall:

(1) Develop written bylaws to specify, as a minimum:

- (a) The mission of the operating unit;
- (b) The appointment of officers;
- (c) Financial accounting procedures;
- (d) Property accountability;
- (e) Membership requirements and record keeping; and
- (f) Training requirements.

(2) Develop written standard operating procedures that specify, as a minimum:

- (a) Direction and control or incident command system procedures;
- (b) Notification and call-out procedures; and

(c) Procedures for all operations and response activities of the operating unit consistent with the mission statement.

(Ord. 11-5-06, passed 11-5-2002)

‘ 32.05 EFFECTIVE DATE.

The provisions of this chapter are severable and if any provisions shall be held invalid or unconstitutional or inapplicable to any person or circumstance, the invalidity, unconstitutionality, or inapplicability shall not affect or impair the remaining provision of this chapter. This chapter shall be in full force and effect from and after its approval, adoption and publication, and all ordinances or parts of ordinances in conflict herewith are hereby repealed and held for naught.

(Ord. 11-5-06, passed 11-5-2002)

‘ 32.99 PENALTY.

Any person violating any of the provisions of this chapter, or any lawful orders, rules or regulations promulgated pursuant to it, upon conviction shall be guilty of a Class A misdemeanor. Violators of this chapter may be issued a citation by the Sheriff of Shelby County or by a duly authorized official.

(Ord. 11-5-06, passed 11-5-2002)