Emergency Management Ordinance of the Town of Bowdoin

Sec. 01 Organization

(a) There is created an emergency management agency in compliance and conformity with the provisions of 37-B M.S.R.A. Section 703 and 781, referred to in this article as the emergency management agency.
(b) Ordinance shall be known and may be cited and referred to as the "Emergency Management Ordinance of the Town of Bowdoin." Authorized under Title 37-B M.S.R.A. Section 782.
(c) The First Selectmen shall be responsible for the agency's organization, administration and operation. The First Selectman may employ such employees, as he or she deems necessary and prescribe their duties.
(d) The Selectmen shall advise the First Selectman and the Emergency Management Director on all matters of civil emergency preparedness, review the existing operational organization to ascertain the agency's ability to cope with it's responsibilities, and accept or reject, after public hearing, such rules and regulations submitted to it.

Sec. 01-01 Appointment of Emergency Management Director, duties and responsibilities

(a) The First Selectman shall appoint a director who shall coordinate the activities if all town departments, organizations and agencies for the civil emergency preparedness within the town and maintain liaison with other emergency management agencies and public safety agencies, and have such additional duties and responsibilities as may be prescribed by the First Selectman.
(b) This appointment shall be annual and made by June 1st of each year. The First Selectman may remove the EMD for cause.
(c) Once the EMD has been appointed, the EMD shall take an oath of office before assuming any duties, pursuant to Title 30-A M.R.S.A., section 2526.

Sec. 01-02 Rules and Regulations

The Director shall prepare under the direction and control of the First Selectman such policies as may be deem necessary for the administration and operational requirements of the emergency management agency, which policies must be approved by the Board of Selectmen prior to becoming effective. The Board of Selectmen, after public hearing, shall accept, amend, or reject such policies.

Sec. 01-03 Emergency Proclamation; First Selectman's Powers

(a) Not withstanding the provisions of subsection (a) of this section, when consultation with the other selectmen would delay in substantial delay in effective response in alleviating or preventing an emergency or disaster, the First Selectmen is authorized to take whatever actions are necessary to prevent the loss of life and property in the town.

(b) The First Selectmen and/or the emergency management director shall be responsible to submit a full report to the Board of Selectmen of actions taken under this section as soon as the Board of Selectmen can convene.

Sec. 01-04 First Selectmen's duties and emergency powers

(a) During any period when an emergency or disaster exists or appears imminent, the First Selectman may promulgate such regulations deemed necessary to protect life, property and to preserve critical resources within the purpose of this section. Such regulations may include but shall not be limited to the following:
   (1) Regulations prohibiting or restricting the movement of vehicles from areas within or without the town.
   (2) Regulations pertaining to the evacuation of persons from any hazard-stricken or threatened areas of the town.
   (3) Regulations necessary to abate clean up or mitigate whatever hazards exist.
   (4) Such other regulations necessary to preserve public peace, health and safety.

(b) The First Selectman or the emergency management director shall be authorized to request aid and/or assistance from the state or any political subdivisions of the state and shall render assistance through reciprocal mutual aid agreements to other entities or political subdivisions under provisions of 37-B M.R.S.A. ss. 701 and 784.

(c) The First Selectman or purchasing agent may obtain vital supplies, equipment and other properties found lacking and needed for the protection of health, life and property.

(d) The provisions of subsection (a) through (c) of this section will terminate at the ending of the declared emergency.

Sec 01-05 Emergency Operational Plan

(a) The First Selectman will cause to be prepared an emergency operational plan for the town, which shall be submitted, to the Selectmen for approval. Amendments to the operational plan shall be submitted to the select-board for approval.
(b) It shall be the responsibility of all-municipal departments and agencies to perform the functions and/or responsibilities assigned and to maintain their portion of the emergency plan in a current state of readiness.
(c) The town's emergency operational plan shall be reviewed periodically by the First Selectman in conjunction with the department heads and emergency management director.

Sec 01-06 Duties of the Emergency Management Director

(a) Prepare and update a Hazard Risk Vulnerability Assessment.
(b) Prepare and maintain the Bowdoin Emergency Operation Plan (EOP)
(c) Organize, activate and operate the Bowdoin Emergency Operation Center (EOC)
(d) Prepare and maintain a list of disaster resources.
(e) Provide Emergency Management training to town officials, planners and responders.
(f) Develop and implement a Disaster Exercise Program.
(g) Attend County Local Emergency Managers meetings.
(h) Provide Disaster Preparedness information to town residents.
(i) Complete and report Damage Assessment to MEMA.
(j) Complete and submit applications for FEMA disaster funds and grants.

Sec 01-07 Membership of the Emergency Operation Center (EOC)

(a) When directed IAW Sec 01-03, the EOC will be established and manned. The following town officials may be included on the EOC staff.
   1. Selectmen
   2. Emergency Management Director
   3. Fire Chief
   4. Town Clerk and Treasurer
   5. Road Commissioner
   6. Animal Control Officer

Sec. 01-08 Civil Emergency Preparedness Forces

The civil emergency preparedness forces of the town shall be the employees, equipment and facilities of all Town departments, agencies, boards, and commissions suitable for, or adaptable to, to the activities of emergency management and, in addition, shall include all private volunteer personnel, equipment and facilities contributed by or obtained from private volunteer persons and organizations.

Sec. 01-09 Immunity from Liability

Immunity from liability shall be set forth in 37-B M.R.S.A. ss. 822.

Sec. 01-10 Compensation for Injuries

All members of the civil emergency preparedness forces shall be deemed to be employees of the state when engaged in training for, or on, duty and shall have all the rights of state employees under workmen's compensation act as specified in 37-B M.R.S.A. ss. 823.

Sec. 01-11 Right of Way; penalty

Personnel and equipment required to respond to an emergency or disaster shall have the right-of-way over all public ways and roads, and anyone failing to grant such right-of-way shall suffer penalties as specified under 37-B M.R.S.A. ss. 828.

Sec. 01-12 Violation of article

It shall be unlawful for any person to violate any of the provisions of this article or the regulations or plans issued pursuant to the authority contained in this article, or to willfully obstruct, hinder, or delay any member of the emergency management organization as described in this article in the enforcement of the provisions of the this article or any regulation or plan issued there-under.