

## **CHAPTER 3 EMERGENCY GOVERNMENT**

(Renum. and recr. during codification 2001)

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**3.01 PURPOSE AND DEFINITIONS.** (Cr. during codification 2001)

(1) **PURPOSE.** The purpose of this Chapter is to prepare the Village of Brownsville to cope with emergencies resulting from enemy action and natural or man-made disasters, as set forth in §166.02, Wis. Stats.

(2) **DEFINITIONS.** (a) **Emergency Government.** Emergency government includes civil defense and means all measures undertaken by or on behalf of the Village; to prepare for and minimize the effects of enemy action and natural or man-made disasters upon the civilian population and to effectuate emergency repairs to, or the emergency restoration of, vital public utilities and facilities destroyed or damaged by such action or disaster.

(b) **Civil Defense.** Civil defense means the preparation for and the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to minimize and repair injury and damage resulting from disaster caused by enemy attack, sabotage, or other hostile action, or by fire, flood or other natural causes.

(c) **Enemy Action.** Enemy action means hostile action by a foreign power which threatens the security of the Village or a portion thereof.

**3.02 DECLARATION OF NECESSARY ACTIONS.** (Renum. fr. §2.36.020) By reason of the increasing possibility of disasters of unprecedented size and destructiveness, and to insure that preparation will be adequate to cope with such disasters, and to provide for the common defense, to protect the public peace, health, safety, and general welfare, and to preserve the lives and property of the people, the following actions are necessary:

- (1) To establish a local civil defense organization;
- (2) To provide for the exercise of necessary powers during civil defense emergencies; and
- (3) To provide for the rendering of cooperation and mutual aid between this village and other political subdivisions.

**3.03 COORDINATION WITH EXISTING FACILITIES.** (Renum. fr. §2.36.030) It is the purpose of this Chapter and the policy of the Village that all civil defense functions of this Village be coordinated to the maximum extent practicable with existing services and facilities of this Village and with comparable functions of the federal, state and county government and other political subdivisions, and of various private agencies to the end that the most effective preparation and use may be made of manpower, resources, and facilities for dealing with any disaster that may occur.

**3.04 COMMISSION: CREATED: OFFICERS DESIGNATED.** (Renum. fr. §2.36.040) There is created a civil defense commission composed of the Village President, and as many additional members as may be determined by the Village Board by resolution, who shall be appointed by the Village President subject to the confirmation of the Village Board, and who shall serve with compensation. As determined by the village president shall serve as chairman of the commission and the civil defense director shall serve as secretary of the commission.

**3.05 COMMISSION: DUTIES.** (Renum. fr. §2.36.050) The civil defense commission shall be an advisory and planning group and shall advise the Village President, director and the Village Board on all matters pertaining to civil defense. The civil defense commission shall meet upon the call of the chairperson.

**3.06 DIRECTOR AND DEPUTY ESTABLISHED.** (Renum. fr. §2.36.060 A. and B.)  
**(1) DIRECTOR APPOINTMENT.** The Office of Director of Civil Defense is created. The director shall be appointed by the Village President, subject to confirmation by the Village Board and shall receive such salary as may be authorized by the village board. The director shall take and file an official oath.

**(2) DEPUTY AND ASSISTANT DIRECTORS.** Deputy and assistant directors may be appointed by the director, subject to the approval of the civil defense commission, as may be deemed necessary, and such appointees may receive such compensation as may be determined by the Village Board

**3.07 DIRECTOR: DUTIES AND AUTHORITY.** (Renum. fr. §2.36.070A. and B.)

**(a)** The director shall be the executive head of the civil defense organization and shall have direct responsibility for the organization, administration and operation of the civil defense organization subject to the direction and control of the village president and the village board. He shall coordinate all activities for civil defense within the village and shall maintain liaison and cooperation with civil defense agencies and organizations of other political subdivisions and of the state and federal government, and shall participate in county and state civil defense activities upon request, and shall have such additional authority, duties, and responsibilities as are authorized by this chapter and as may from time to time be required by the village board.

**(b)** The director shall prepare a comprehensive general plan for the civil defense of the village and shall present such plan to the village board for its approval. When the village board has approved the plan by resolution, it shall be the duty of all municipal agencies and all civil defense forces of the village to perform the duties and functions assigned by the plan as approved. The plan may be modified in like manner.

**3.08 COORDINATION BETWEEN EXISTING DEPARTMENTS.** (Renum. fr. §2.36.080) In preparing and executing the civil defense plan, the director shall utilize the services, equipment, supplies and facilities of the existing departments and agencies of the Village to the maximum extent practicable. The officers and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities to the director.

**3.09 MUTUAL AID AGREEMENTS.** (Renum. and recr. fr. §2.36.090) The director of civil defense may, subject to the approval of the village board, enter into mutual aid agreements with other political subdivisions. Copies of such agreements shall be filed with the State adjutant general.

**3.10 EMERGENCY REGULATIONS.** (Renum. fr. §2.36.100) Whenever necessary to meet a civil defense emergency for which adequate regulations have not been adopted by the Village Board, the Village President and, in his absence, the director of civil defense may by proclamation promulgate and enforce such orders, rules and regulations relating to the conduct of persons and the use of property as shall be necessary to protect the public peace, health and safety, and preserve lives and property and to insure the cooperation necessary in civil defense activities. Such proclamations shall be posted in 3 public places and may be rescinded by the village board by resolution at any time.

**3.11 DECLARATION OF EMERGENCIES.** (Renum. fr. §2.36.110) Upon the declaration by the governor, by the Village President, or by the civil defense director in the absence of the Village President, or by the Village Board, of a state of emergency, the director of civil defense shall issue all necessary proclamations as to the existence of such state of emergency and shall issue such disaster warnings or alerts as shall be required in the civil defense plan. This civil defense organization shall take action in accordance with the civil defense plan only after the declaration of an emergency and the issuance of official disaster warnings. Such state of emergency shall continue until terminated by the issuing authority, provided, that any such declaration not issued by the governor may be terminated at the discretion of the Village Board

**3.12 VIOLATION AND PENALTY.** (Renum. and recr. fr. §2.36.100) It is unlawful for any person to willfully obstruct, hinder or delay any member of the civil defense organization in the enforcement of any order, rule, regulation or plan issued pursuant to this chapter, or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this chapter. For violation of the provisions of this chapter, the offender is subject to the penalty contained in §25.04 of this Code.