

## CHAPTER 32: EMERGENCY MANAGEMENT

### Section

#### *General Provisions*

32.01 Order of succession

#### *Emergency Services and Disaster Agency*

- 32.15 Establishment
- 32.16 Coordinator
- 32.17 Establishment of Emergency Response Commission
- 32.18 Functions
- 32.19 Service as mobile support team
- 32.20 Agreements with other political subdivisions
- 32.21 Emergency action
- 32.22 Compensation
- 32.23 Reimbursement by state
- 32.24 Purchases and expenditures
- 32.25 Oath
- 32.26 Office
- 32.27 Appropriation; levy of taxes
- 32.28 Declaration of emergency

### **GENERAL PROVISIONS**

#### **§ 32.01 ORDER OF SUCCESSION.**

(A) *Purpose.* The purpose of this Section is to provide for an order of succession in case of:

- (1) An emergency; and
- (2) The Village President is unable to perform the President's duties.

(B) *Order of succession.*

- (1) In accordance with and pursuant to the Emergency Interim Executive Succession Act, 65 ILCS 5/275-1, *et seq.*, the following officers are hereby designated as the emergency interim successors to the Office of Village President in the following order:
  - (a) The Village Trustee with the highest number of consecutive years and days in office;
  - (b) The Village Trustee with the second highest number of consecutive years and days in office;
  - (c) The Village Trustee with the third highest number of consecutive years and days in office;
  - (d) The Village Trustee with the fourth highest number of consecutive years and days in office;
  - (e) The Village Trustee with the fifth highest number of consecutive years and days in office; and
  - (f) The Village Trustee with the sixth highest number of consecutive years and days in office.

- (2) In the event two or more Trustees have the highest number of consecutive years and days in office, the successor shall be the Trustee, among those two or more Trustees, whose name appears first in alphabetical order.
- (C) *Duties.* The emergency interim successor shall exercise the powers and discharge the duties of the Office of Village President until:
  - (1) The time as a vacancy which may exist shall be filled in accordance with the law; or
  - (2) The Village President, or the preceding emergency interim successor, again becomes available to exercise the powers and discharge the duties of his or her office.

(Ord. 1-3-A, passed 2-15-2006) (Am. Ord. 1-2-A, passed 07-17-2013)

### ***EMERGENCY SERVICES AND DISASTER AGENCY***

#### **§ 32.15 ESTABLISHMENT.**

- (A) There is hereby created the Emergency Services and Disaster Agency (ESDA) to prevent, minimize, repair, and alleviate injury or damage resulting from disaster caused by enemy attack, sabotage, or other hostile action, or from natural or human-made disaster, in accordance with the Illinois Emergency Management Act, being 20 ILCS 3305/1, *et seq.* (the “State ESDA Act”).
  - (B) The ESDA shall consist of the Coordinator and any additional members as may be selected by the Coordinator.
- (Ord. 6-9-A, passed 3-19-1976) (Am. Ord. 1-2-A, passed 07-17-2013)

#### **§ 32.16 COORDINATOR.**

- (A) The Coordinator of the Village ESDA shall:
  - (1) Be appointed by the Village President with the consent of a majority of the Village Board of Trustees; and
  - (2) The Coordinator shall serve until removed by the Village President.
- (B) The Coordinator shall have direct responsibility for the organization, administration, training, and operation of the ESDA, subject to the direction and control of the Village President, as provided by statute.
- (C) In the event of the Coordinator's absence, resignation, death, or inability to serve as the Coordinator, the Village President, or any person designated by him or her, shall be and act as Coordinator until a new appointment is made as provided in this Chapter.

(Ord. 6-9-A, passed 3-19-1976) (Am. Ord. 1-2-A, passed 07-17-2013)

**§ 32.17 ESTABLISHMENT OF EMERGENCY RESPONSE COMMISSION.**

- (A) There is hereby established a Village of Port Barrington Emergency Response Commission (the “Commission”), which Commission shall serve as an advisory board to the Village President and Board of Trustees and to the Village’s ESDA Coordinator.
- (B) The Commission shall meet as often as necessary to prepare or review activities and progress.
- (C) All Commission meetings shall be open to the public and shall comply with the Illinois Open Meetings Act.
- (D) *Duties; Limitations:* The Commission shall prepare an annual evaluation written report and recommendations in the month of March of each year which written report and recommendations shall be submitted to the Village Board of Trustees and the Village’s ESDA Coordinator for their review, consideration, and/or action thereon. The Commission’s annual report and recommendations will include, but not be limited to, the following:
  - (1) A review of any natural disasters that have occurred during the previous year;
  - (2) A review of recommended action items, including any notable accomplishments during the previous year; and
  - (3) Recommendations for new projects and the scheduling thereof, which shall be subject to review and approval by the Village Board.
  - (4) The Commission shall not be authorized to incur any debt or expense or in any way obligate the Village, without the prior written approval of the Corporate Authorities.
- (E) *Commission Membership:* The Commission shall be comprised of no fewer than two (2) members and no more than six (6) members. All members shall be appointed to the Commission by the Village President with the advice and consent of the Board of Trustees. One member shall be designated from time to time as Chair of the Commission by the Village President with the advice and consent of the Board of Trustees for the purpose of coordinating the efforts of said Commission. The members of the Commission may include one or more members of the Board of Trustees and may also include other residents of the Village as volunteers.
- (F) *Term:* The members of the Emergency Response Commission shall serve for a term of four (4) years, any or all of whom may be reappointed by the Village President for one or more additional four-year term(s).

**§ 32.18 FUNCTIONS.**

- (A) The ESDA shall perform any ESDA functions within the Village as shall be prescribed in and by the state ESDA plan and program prepared by the Governor, and any orders, rules, and regulations as may be promulgated by the Governor.
  - (B) The ESDA shall perform any duties outside the corporate limits as may be required pursuant to any mutual aid agreement with any other political subdivision, municipality, or quasi-municipality entered into as provided in the State ESDA Act.
- (Ord. 6-9-A, passed 3-19-1976) (Am. Ord. 1-2-A, passed 07-17-2013)

**§ 32.19 SERVICE AS MOBILE SUPPORT TEAM.**

- (A) All or any members of the Village ESDA organization may be designated as members of a mobile support team created by the Director of the State ESDA, as provided by law.
  - (B) The leader of the Mobile Support Team shall be designated by the Coordinator of the Village ESDA organization.
  - (C) Any member of a mobile support team who is a Village employee or officer while serving on call to duty by the Governor, or the State Director, shall:
    - (1) Receive the compensation incident to the employment or office; and
    - (2) Have the powers, duties, rights, and immunities incident to the employment or office.
  - (D) Any member who is not a paid officer or employee of the Village, while so serving, shall receive from the state reasonable compensation as provided by law.
- (Ord. 6-9-A, passed 3-19-1976) (Am. Ord. 1-2-A, passed 07-17-2013)

**§ 32.20 AGREEMENTS WITH OTHER POLITICAL SUBDIVISIONS.**

- (A) The Coordinator of the ESDA may negotiate mutual aid agreements with other municipalities or political subdivisions of the state.
  - (B) No agreement shall be effective until it has been approved by the Village President and by the State Director of ESDA.
- (Ord. 6-9-A, passed 3-19-1976) (Am. Ord. 1-2-A, passed 07-17-2013)

**§ 32.21 EMERGENCY ACTION.**

If the Governor proclaims that a disaster emergency exists in the event of actual enemy attack upon the United States or the occurrence within the state of a major disaster resulting from enemy sabotage or other hostile action, or from human-made or natural disaster, it shall be the duty of the Village ESDA to cooperate fully with the State ESDA and with the Governor in the exercise of emergency powers as provided by law.

(Ord. 6-9-A, passed 3-19-1976) (Am. Ord. 1-2-A, passed 07-17-2013)

**§ 32.22 COMPENSATION.**

- (A) Members of the ESDA who are paid employees or officers of the Village, if called for training by the State Director of ESDA, shall receive for the time spent in the training the same rate of pay as is attached to the position held.
  - (B) Members who are not Village employees or officers shall receive for the training time any compensation as may be established by the Village President.
- (Ord. 6-9-A, passed 3-19-1976) (Am. Ord. 1-2-A, passed 07-17-2013)

**§ 32.23 REIMBURSEMENT BY STATE.**

The State Treasurer may receive and allocate to the appropriate fund any reimbursement by the state to the Village for expenses incident to training members of the ESDA, as prescribed by the State Director of ESDA, compensation for services and expenses of members of a mobile support team while serving outside the Village in response to a call by the Governor or State Director of ESDA, as provided by law, and any other reimbursement made by the state incident to ESDA activities as provided by law.

(Ord. 6-9-A, passed 3-19-1976) (Am. Ord. 1-2-A, passed 07-17-2013)

**§ 32.24 PURCHASES AND EXPENDITURES.**

(A) The Village President may, on recommendation of the Village Coordinator of the ESDA, authorize any purchase or contracts necessary to:

- (1) Place the Village in a position to combat effectively any disaster resulting from the explosion of any nuclear or other bomb or missile; and
- (2) Protect the public health and safety, protect property, and provide emergency assistance to victims in the case of the disaster, or from human-made or natural disaster.

(B) (1) In the event of enemy-caused or other disaster, the Village Coordinator of the ESDA is authorized, on behalf of the Village, to procure any services, supplies, equipment, or material as may be necessary for those purposes, in view of the exigency without regard to the statutory procedures or formalities normally prescribed by law pertaining to Village contracts or obligations, as authorized by the State ESDA Act.

- (2) If the Village President meets at that time, he or she shall act subject to the directions and restrictions imposed by that body.

(Ord. 6-9-A, passed 3-19-1976) (Am. Ord. 1-2-A, passed 07-17-2013)

**§ 32.25 OATH.**

Every person appointed to serve in any capacity in the Village ESDA organization shall, before entering upon his or her duties, subscribe to the following oath, which shall be filed with the Coordinator:

“I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Illinois, and the territory, institutions, and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

And I do further swear (or affirm) that I do not advocate nor am I nor have I been a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence; and that during such time as I am affiliated with the Village ESDA organization, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence.”

(Ord. 6-9-A, passed 3-19-1976) (Am. Ord. 1-2-A, passed 07-17-2013)

**§ 32.26 OFFICE.**

The Village President is authorized to designate space in a Village building, or elsewhere, as may be provided for by the Village President for the Village ESDA as its office.  
(Ord. 6-9-A, passed 3-19-1976) (Am. Ord. 1-2-A, passed 07-17-2013)

**§ 32.27 APPROPRIATION; LEVY OF TAXES.**

(A) The Village President may;

- (1) Make an appropriation for ESDA purposes in the manner provided by law; and
- (2) Levy, in addition for ESDA purposes only, a tax not to exceed \$.05 per \$100 of the assessed value of all taxable property in addition to all other taxes, as provided by the State ESDA Act.

(B) The amount collectable under the levy shall in no event exceed \$.25 per capita.  
(Ord. 6-9-A, passed 3-19-1976) (Am. Ord. 1-2-A, passed 07-17-2013)

**§ 32.28 DECLARATION OF EMERGENCY.**

(A) (1) A local disaster emergency may be declared only by the Village President.

- (2) It shall not be continued or renewed for a period in excess of seven days, except by or with the consent of the Village Board.
- (3) Any order or proclamation shall be given prompt and general publicity and shall be filed promptly with the Village Clerk.

(B) The effect of a declaration of a local disaster emergency is to:

- (1) Activate the response and recovery aspects of any and all applicable local or interjurisdictional disaster emergency plans; and
- (2) Authorize the furnishing of aid and assistance thereunder.

(Ord. 6-9-A, passed 3-19-1976) (Am. Ord. 1-2-A, passed 07-17-2013)