

ENROLLED ORDINANCE 164-69

REPEAL AND RECREATE SECTIONS 17-1 AND 4-170 OF THE COUNTY CODE
OF ORDINANCES TO UPDATE EMERGENCY MANAGEMENT PROVISIONS

WHEREAS, as part of an overhaul of emergency management laws, the Wisconsin Legislature repealed Chapter 166 of the Wisconsin Statutes and created Chapter 323, and

WHEREAS, the County Code has references to Chapter 166 that will need to be revised to reflect the new chapter designation, including in Section 4-170, and

WHEREAS, the new laws affect counties in many ways including the requirement to adopt an emergency management plan and program that is compatible with the state plan of emergency management under sec. 323.13(1)(b), and

WHEREAS, the county has developed an emergency management plan that meets the new statutory requirements, but that plan has not been formally adopted by the County Board.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA
ORDAINS:

SECTION 1. Section 17-1 is repealed and recreated to read:

The Waukesha County Emergency Operations Plan, which is on file in the offices of the Department of Emergency Preparedness, the County Board and the County Executive, is hereby adopted as the official emergency management plan and program for Waukesha County.

SECTION 2. Section 4-170(c)(2) is repealed and recreated to read:

To act as the county emergency management committee in accordance with section 323.14(a)(3), Wisconsin Statutes.

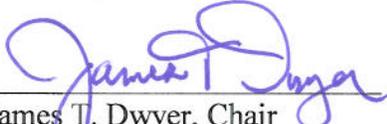
SECTION 3. This ordinance shall be effective upon approval and publication.

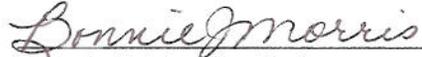
SECTION 4. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Waukesha, Wisconsin, as an addition or amendment thereto and shall be appropriately renumbered to conform to the numbering system contained therein.

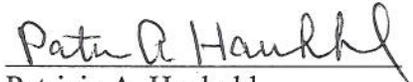
REPEAL AND RECREATE SECTIONS 17-1 AND 4-170 OF THE COUNTY CODE OF ORDINANCES TO UPDATE EMERGENCY MANAGEMENT PROVISIONS

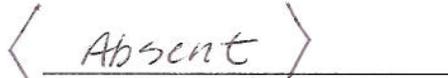
Presented by:
Executive Committee

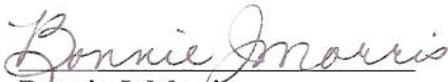
Approved by:
Judiciary Committee

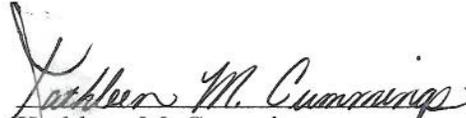

James T. Dwyer, Chair

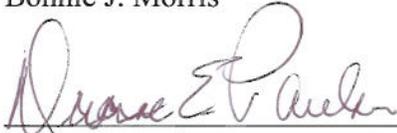

Bonnie J. Morris, Chair


Patricia A. Haukohl

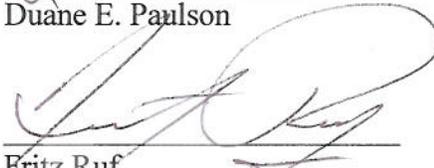

Paul L. Decker

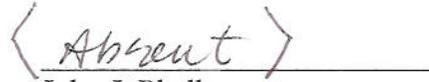

Bonnie J. Morris


Kathleen M. Cummings

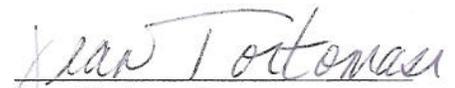

Duane E. Paulson

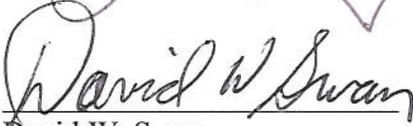

Dave Falstad


Fritz Ruf


John J. Pledl


Thomas J. Schellinger


Jean Tortomasi


David W. Swan


Peter M. Wolff

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: January 29, 2010, 
Kathy Nickolaus, County Clerk

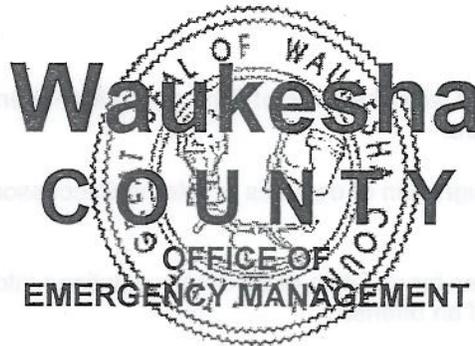
The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: 
Vetoed: _____

Date: 2/1/10, 
Daniel P. Vrakas, County Executive

Daniel P. Vrakas
County Executive

William F. Stolte
Emergency Management
Coordinator



To: Richard Tuma,
Director Emergency Preparedness
From: William F. Stolte,
Coordinator – Emergency Management
Date: January 15, 2010
RE: Revisions to the Emergency Management State Statutes

Listed below are some of the highlights of the transfer of statutory language from Chapter 166 to Chapter 323 of the Wisconsin State Statutes. Most of the language from 166 carried over to 323 but there are some exceptions/changes. There are some minor wording changes, but they are not overly significant at this point. The important things are:

323.01 Expanded Definitions Section.

323.11 Emergency Declaration authorities now explicitly include counties – previously this was an implied power.

323.13 Transfers certain duties from the WEM Administrator to the Adjutant General.

323.14 Requires every local unit of government (Counties, Cities, Villages and Towns) to appoint a Head of Emergency Management Services – however prohibits any person from serving two or more Counties as the Head of Emergency Management Services – {Wonder where that came from.....}.

323.14(3) Requires notification to Dept. of Health Services if a County opts to use volunteer health care practitioners in a declared emergency.

323.14 (4) Clarifies certain explicit emergency powers and permits the CEO of a local unit of government to take any emergency action assigned to the governing body if the body cannot meet in a timely manner. Such proclamations must be ratified by the Governing Body as soon as they can meet, however, their failure to ratify does not negate the directions issued prior to their meeting.

323.15 Clarifies certain emergency powers of the State and local units of government.

323.16 Mutual aid for law enforcement is clarified and expanded to give officers authority to act anywhere they are requested to respond.

323.41 Clarifies volunteer liability issues and establishes immunity from liability for providing certain services, equipment or facilities during a state of emergency.

323.51 Allows the State to move the Seat of Government from the Capitol if necessary and provides for full exercise of governmental authority while at such temporary location. Note there are a couple sections of this part of the Chapter that require a Constitutional amendment, so the wording will take effective once the amendment is enacted.



Waukesha County Emergency Management
1621 Woodburn Road
Waukesha, WI 53188
(262) 548-7580 FAX (262) 548-7313



WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-01/26/10

(ORD) NUMBER-1640073

1 D. FALSTAD.....AYE
 3 R. HUTTON.....AYE
 5 J. JESKEWITZ.....AYE
 7 P. HAUKOHL.....AYE
 9 J. HEINRICH.....AYE
 11 F. RUF.....AYE
 13 P. DECKER.....AYE
 15 P. MEYERS.....AYE
 17 J. TORTOMASI.....AYE
 19 S. WIMMER.....AYE
 21 W. ZABOROWSKI.....AYE
 23 J. PLEDL.....
 25 G. YERKE.....AYE

2 T. ROLFS.....AYE
 4 J. DWYER.....AYE
 6 J. BRANDTJEN.....AYE
 8 T. SCHELLINGER....AYE
 10 D. SWAN.....AYE
 12 P. WOLFF.....AYE
 14 B. MORRIS.....AYE
 16 D. PAULSON.....AYE
 18 K. CUMMINGS.....AYE
 20 P. JASKE.....AYE
 22 P. GUNDRUM.....AYE
 24 W. KOLB.....AYE

TOTAL AYES-24

TOTAL NAYS-00

CARRIED _____

DEFEATED _____

UNANIMOUS K

TOTAL VOTES-24