

Chapter 25

EMERGENCY MANAGEMENT

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| <p>§ 25-1. Establishment.</p> <p>§ 25-2. Authority.</p> <p>§ 25-3. General duties and responsibilities.</p> <p>§ 25-4. Declaration of disaster emergency.</p> <p>§ 25-5. Temporary suspension of formal requirements.</p> <p>§ 25-6. Local coordinator of emergency management.</p> <p>§ 25-7. Powers and duties of the Emergency Management Agency.</p> | <p>§ 25-8. Emergency Management Advisory Council (optional).</p> <p>§ 25-9. Coordination, assistance and mutual aid.</p> <p>§ 25-10. Approvals and ratifications of agreements.</p> <p>§ 25-11. Gifts and grants of moneys.</p> <p>§ 25-12. Representation on boards and agencies.</p> <p>§ 25-13. Insignia and identifying marks.</p> <p>§ 25-14. Applicability of state statutes.</p> |
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[HISTORY: Adopted by the Borough Council of the Borough of Dallastown 11-11-1985 by Ord. No. 376. Amendments noted where applicable.]

§ 25-1. Establishment.

A local emergency management agency is hereby established and shall be known as the "Dallastown Emergency Management Agency."

§ 25-2. Authority.

The Dallastown Emergency Management Agency is established pursuant to the provisions of the Emergency Management Services Code (35 Pa.C.S.A. § 7101 et seq.).

§ 25-3. General duties and responsibilities.

The Dallastown Emergency Management Agency shall have the responsibility for emergency management and disaster response and recovery within the Borough of Dallastown. The Dallastown Emergency Management Agency shall also provide emergency management and disaster response and recovery services outside the Borough of Dallastown as required by the terms and conditions of this chapter.

§ 25-4. Declaration of disaster emergency.

- A. A local disaster emergency may be declared by the Borough Council of the Borough of Dallastown. In addition, the Mayor or President of Borough Council is hereby authorized

to declare a local disaster emergency subject to ratification by the Borough Council within seven days of such declaration.

- B. A local disaster emergency may also be declared upon finding by the Borough Council, Mayor or President of Borough Council that a disaster has occurred or is imminent.
- C. The declaration of a local disaster emergency shall not be continued or renewed for a period in excess of seven days unless approved by the Dallastown Borough Council.
- D. Any order or proclamation declaring, continuing or terminating a local disaster emergency shall be given prompt and general publicity, and a copy of such order or proclamation shall be filed promptly with the Pennsylvania Emergency Management Agency.
- E. Upon declaration of a local disaster emergency, the applicable response and recovery aspects of the Dallastown local emergency management plan shall be activated, and all provisions for aid and assistance thereunder shall be authorized.

§ 25-5. Temporary suspension of formal requirements.

Upon declaration of a disaster emergency, the Borough of Dallastown, pursuant to Section 7301(c) of the Emergency Management Services Code,¹ shall be authorized to exercise the powers granted in this chapter without regard to time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements) pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes and the appropriation and expenditure of public funds. In addition, upon the declaration of a disaster emergency, the Borough of Dallastown is authorized to avail itself of the provisions of Act of August 5, 1941 (P.L. 752, No. 286), known as the "Civil Service Act,"² in connection with the employment of personnel in local organizations established pursuant to the provisions of this chapter.

§ 25-6. Local coordinator of emergency management.

- A. The Dallastown Emergency Management Agency shall have a coordinator who shall be responsible for the planning, administration and operation of the agency subject to the direction and control of the Mayor and Borough Council.
- B. The coordinator of the Dallastown Emergency Management Agency shall be appointed by the Governor of the Commonwealth of Pennsylvania upon recommendation of the Dallastown Borough Council. The Dallastown Borough Council may, upon agreement by resolution with adjoining municipalities, recommend to the Governor a candidate for coordinator for emergency management activities in said political subdivisions. The Dallastown Emergency Management Coordinator shall serve at the pleasure of the Dallastown Borough Council.

¹ Editor's Note: See 35 Pa.C.S.A. § 7301(c).

² Editor's Note: See 71 P.S. § 741.1 et seq.

C. The coordinator of the Dallastown Emergency Management Agency shall:

- (1) Be professionally competent and capable of planning, effecting and coordinating operations among agencies of government and controlling coordinated operations by local emergency preparedness forces.
- (2) Attend and successfully complete the first phase of the career development program as prescribed by the Pennsylvania Emergency Management Agency within one year after appointment.
- (3) Attend and successfully complete the second phase of the career development program as prescribed by the Pennsylvania Emergency Management Agency within three years after appointment.
- (4) Attend basic and advanced seminars, workshops and training conferences called by the Director of the Pennsylvania Emergency Management Agency and/or its Director of Training and Education.
- (5) Failure to attend and successfully complete the career development program phases, as described above, or failure to attend a prescribed training program for two consecutive years shall be cause for replacement of the coordinator of the Dallastown Emergency Management Agency.
- (6) Responsibility for the professional in-service training of the coordinator of the Dallastown Emergency Management Agency shall rest with the Emergency Management Coordinator of York County.

D. The Borough of Dallastown will reimburse its coordinator for actual expenses incurred as the result of his or her attendance at scheduled meetings and training programs.

§ 25-7. Powers and duties of the Emergency Management Agency.

The Dallastown Emergency Management Agency is hereby directed to:

- A. Prepare, maintain and keep current a disaster emergency plan for the Borough of Dallastown for the prevention and minimization of injury and damage caused by a disaster, for prompt and effective response to disaster and for disaster emergency relief and recovery in consonance with the Pennsylvania Emergency Management Plan and the York County Emergency Management Plan.
- B. Establish, equip and staff an emergency operations center for the Borough of Dallastown.
- C. Establish a warning and communications system for the Borough of Dallastown that will support governmental operations in emergencies.
- D. Provide essential facilities and equipment to those agencies and organizations that have been assigned emergency functions under the provisions of this chapter.
- E. Provide individual and organizational training programs for police officers, fire fighters, rescue personnel, ambulance personnel, emergency management volunteers and the general public to ensure prompt, efficient and effective disaster emergency services.

- F. Organize, prepare and coordinate all locally available manpower, materials, supplies, equipment, facilities necessary for disaster emergency readiness, response and recovery.
- G. Adopt and implement precautionary measures to mitigate the anticipated effects of a disaster.
- H. Execute and enforce such rules, regulations and orders as the Dallastown Emergency Management Agency may adopt pursuant to the provisions of this chapter.
- I. Cooperate and coordinate with any public and private agencies or entities in achieving the purpose of this chapter.
- J. Have available for inspection at its emergency operations center all emergency management plans, rules, regulations and orders of the Governor and the Pennsylvania Emergency Management Agency.
- K. Provide prompt and accurate information regarding local disaster emergencies to appropriate commonwealth and local officials and agencies and the general public.
- L. Make monthly reports to the Dallastown Borough Council on the status and programs of the Dallastown Emergency Management Agency, its personnel, programs and plans.
- M. Execute and enforce such rules and orders as may be adopted by the Pennsylvania Emergency Management Agency.
- N. Make timely recommendations to and secure the consent of the Dallastown Borough Council concerning the development of plans, the acquisition of materials, supplies and equipment and the development of a budget for the agency, except as provided for in disaster emergencies.
- O. Identify areas within the Borough of Dallastown that are particularly vulnerable to disasters.
- P. Upon the request of the Mayor, the Borough Council or a duly authorized borough official, assist the Borough of Dallastown and/or its police, fire, rescue or emergency medical services in handling and coordinating special, non-disaster emergencies and situations.

§ 25-8. Emergency Management Advisory Council (optional).

- A. In support of the programs and activities of the Dallastown Emergency Management Agency, the Dallastown Borough Council shall appoint, upon the recommendation of the Emergency Management Coordinator, the Emergency Management Advisory Council consisting of 12 members. Members of the Emergency Management Advisory Council shall include the Mayor, a representative of Borough Council, the Chief of the Dallastown Police Department, the Chief of the Dallastown Fire Department, the Borough Manager, a practicing physician or nurse, a member of the York chapter of the American Red Cross and four at-large residents of the community.
 - (1) With the exception of the at-large resident members, the members of the Emergency Management Advisory Council shall serve continuously during their term of public office except for physician or nurse, who shall serve until replaced by the Borough Council.

- (2) Upon initial appointment to the Emergency Management Advisory Council, one at-large resident shall serve a term of one year, two shall serve terms of two years and one shall serve a term of three years. Thereafter, at-large resident representatives shall be appointed for three-year terms.
 - (3) At-large resident members on the Emergency Management Advisory Council shall serve no more than three consecutive terms.
 - (4) Only designated members of the Emergency Management Advisory Council may vote on matters before the Council.
- B. The Dallastown Emergency Management Advisory Council shall:
- (1) Elect its own chairperson and other officers as the body may deem appropriate.
 - (2) Provide recommendations and assistance to the coordinator as deemed appropriate concerning the plans, activities and role of the Dallastown Emergency Management Agency.
 - (3) Assist in the preparation and maintenance of the Dallastown Disaster Emergency Plan.
 - (4) Recruit and assist in the training of emergency personnel and represent the Emergency Management Agency of Dallastown Borough at training programs, seminars and public meetings.
 - (5) Provide whatever other aid or assistance that the coordinator may request.

§ 25-9. Coordination, assistance and mutual aid.

The coordinator of the Dallastown Emergency Management Agency shall develop and maintain mutual aid agreements with adjacent political subdivisions for reciprocal emergency assistance. The agreements shall be consistent with the plans and program of the Pennsylvania Emergency Management Agency and the York County Emergency Management Agency. The agreements shall stipulate that direction of emergency disaster assistance is the responsibility of the lowest level of government affected, that the County Emergency Management Agency shall provide coordination and support when more than one political subdivision within York County is affected, and that the Pennsylvania Emergency Management Agency or its area organization shall provide coordination and support when two or more counties are affected. In disaster emergencies, requests for mutual aid assistance shall be referred to the organization, as outlined above, having responsibility for coordination and, in time of emergency, it shall be the duty of the Dallastown Emergency Management Agency to render assistance in accordance with these mutual aid agreements. In all cases, support services provided from outside the affected area shall remain under the command and control of the receiving area.

§ 25-10. Approvals and ratifications of agreements.

- A. Except during local disaster emergencies, the Dallastown Borough Council shall:

- (1) Approve all expenditures of the Dallastown Emergency Management Agency in advance.
 - (2) Approve attendance and participation of personnel on the Emergency Management Agency at training sessions, seminars and meetings.
 - (3) Review and approve the Dallastown Emergency Management Plan.
- B. All mutual aid agreements (§ 25-9) shall be ratified by the Dallastown Borough Council and by governing bodies of the other, affected municipalities prior to implementation.

§ 25-11. Gifts and grants of moneys.

Any gift or grant of moneys made to the Dallastown Emergency Management Agency or to the Borough of Dallastown for the payment of expenses incurred or to be incurred by or for the Dallastown Emergency Management Agency shall be deposited in the treasury of the Borough of Dallastown and shall be appropriated only for the purpose for which the gift or grants were made.

§ 25-12. Representation on boards and agencies.

Nothing in this chapter shall be construed as prohibiting the Dallastown Emergency Management Agency or the Dallastown Emergency Management Advisory Council from providing representation to other boards or agencies, as outside emergency management advisory boards, emergency health services councils, regional communications committees, that coordinate with or otherwise impact the delivery of emergency management services.

§ 25-13. Insignia and identifying marks.

The Dallastown Emergency Management Agency shall, with the approval of the Dallastown Borough Council, adopt such insignia and/or other identifying marks or markings as are necessary to ensure the correct, prompt identification of its personnel, equipment and facilities.

§ 25-14. Applicability of state statutes.

The provisions of the Emergency Management Services Code of the Commonwealth of Pennsylvania, Act 1978-323 (P.L. 1332),³ shall govern the emergency management activities of the Borough of Dallastown and the Dallastown Emergency Management Agency and its Dallastown Emergency Management Advisory Council except in circumstances where the Emergency Management Services Code does not address local provisions or conditions provided for by this chapter.

³ Editor's Note: See 35 Pa.C.S.A. § 7101 et seq.