

Chapter 15

EMERGENCY MANAGEMENT

[HISTORY: Adopted by the Borough Council of the Borough of East Vandergrift 5-2-1983; amended in its entirety at time of adoption of Code (see Ch. 1, General Provisions, Art. I). Subsequent amendments noted where applicable.]

§ 15-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ATTACK — A direct or indirect assault against the Borough of East Vandergrift its government or its environs, or of the nation, by the forces of a hostile nation or the agent thereof, including but not limited to assault by bombings; radiological, chemical or biological means; or sabotage.

COORDINATOR — The Emergency Management Coordinator of the Emergency Management Agency of the Borough of East Vandergrift.

DISASTER — Actual or threatened attack, natural disaster, extraordinary fire, epidemic, evacuations or any other pending or actual emergency or calamity which endangers or threatens to endanger the health, safety, life or property of the residents of the Borough or endangers or threatens the constituted government of the nation or commonwealth.

EMERGENCY MANAGEMENT — To carry out the basic government functions of maintaining the public peace, health and safety, including plans and preparations for protection from and relief, recovery and rehabilitation from the effect of an attack on the Borough and such activity in connection with a disaster as defined herein.

EMERGENCY MANAGEMENT FORCES — The employees, equipment and facilities of all Borough departments, boards, institutions and commissions, and all volunteer personnel, equipment and facilities contributed by or obtained from volunteer persons or agencies.

EMERGENCY MANAGEMENT VOLUNTEER — Any person duly enrolled, identified and appointed by the Coordinator and assigned to participate in Emergency Management Agency activity.

PERSON — Any individual, firm, corporation, association or partnership, including the plural as well as the singular and both genders.

REGULATIONS — The plans, programs and emergency procedures established by the Emergency Management Agency which are deemed essential to an adequate program.

VOLUNTEER — A person contributing a service, equipment or facilities to the Emergency Management Agency without remuneration.

§ 15-2. Purpose.

The purpose of this chapter shall be to:

- A. Establish an Emergency Management Agency that will be responsible for the complete and efficient utilization of all Borough facilities to safeguard and protect life and property within the Borough of East Vandergrift during a state of war, a local emergency or a disaster.
- B. Establish the Emergency Management Agency and its attendant responsibilities, duties and powers, including but not limited to provisions for the promulgation of a basic emergency management plan with necessary lines of succession.
- C. Establish the Emergency Management Coordinator and his attendant responsibilities, duties and powers as Coordinator of the Emergency Management Agency.
- D. Provide for the promulgation of emergency management regulations, enforcement and penalties.

§ 15-3. Agency created; membership; Coordinator; facilities.

- A. There is hereby created an Emergency Management Agency for the Borough of East Vandergrift. The Emergency Management Agency shall consist of a Coordinator, to be known as the "Emergency Management Coordinator," who shall be selected by the Borough Council and appointed by the Governor of Pennsylvania. Said Coordinator shall serve at the pleasure of the Borough Council or its designated alternate. The Coordinator may appoint a staff as is necessary, but in all circumstances said appointments, if any, shall be with the express approval of the Borough Council or its designated alternate. The members of the Emergency Management Agency shall serve without compensation.
- B. The Emergency Management Coordinator shall be professionally competent and capable of planning, effecting coordination among various departments and generally controlling coordinated operations by emergency preparedness forces.
- C. The employees, equipment and facilities of all Borough departments, boards, institutions and commissions will be at the disposal of the Emergency Management Agency and will participate as directed by the Coordinator with the approval of the Borough Council; provided, however, that the duties assigned to the various departments shall be the same or similar to the normal activities of said departments.

§ 15-4. Powers and duties of Emergency Management Agency.

Subject to the direction and control of the Borough Council, the Emergency Management Agency shall have the following powers and duties;

- A. To prepare a comprehensive basic plan for emergency management and keep the basic plan current to provide for the fullest protection of the Borough and its inhabitants in case of disaster or declared emergency.
- B. To recommend to the Borough Council or their designated alternate all necessary rules and regulations for the implementation of the basic plan, and all other rules and regulations necessary for the protection of the Borough and its inhabitants in case of disaster or declared emergency.
- C. To provide individual and organizational training programs to ensure prompt, efficient and effective disaster emergency service.

- D. To organize, prepare and coordinate all locally available manpower, materials, supplies, equipment, facilities and services necessary for disaster emergency readiness, response and recovery.
- E. To adopt and implement precautionary measures to mitigate the anticipated effects of disaster.
- F. To have available for inspection at its emergency operations center all the emergency management plans, rules and orders, if any, of the agency.
- G. To provide prompt and accurate information regarding local disaster emergencies to appropriate commonwealth and local officials and agencies and the general public.

§ 15-5. Powers and duties of Emergency Management Coordinator.

Subject to the direction and control of the Borough Council, the Emergency Management Coordinator shall have the following powers and duties:

- A. To oversee the formulation of the basic plan of emergency management and to direct its implementation in time of disaster or declared emergency.
- B. To designate the lines of succession within the Emergency Management Agency and be responsible for the proper performance of all necessary duties and functions assigned to the various departments under the basic plan.
- C. To make recommendations for rulings, orders or ordinances on behalf of the Emergency Management Agency to the Borough Council, or their designated alternate, whenever requested to do so and whenever it is deemed necessary or advisable.
- D. To make reports to the Borough Council as required.

§ 15-6. Purchases.

No purchase or purchases shall be made, no contract entered into and no expense incurred by the Emergency Management Agency without prior consent of the Borough Council.

§ 15-7. Obstruction or hindrance.

It shall be unlawful for any person to violate any of the provisions of this chapter or of the regulations or plans issued pursuant to the authority contained herein or to willfully obstruct, hinder or delay any member of the Emergency Management Agency as herein defined in the enforcement provisions of this chapter or any regulation, plan or order issued hereunder.

§ 15-8. Violations and penalties.

Any person who violates or permits a violation of this chapter shall, upon conviction in a summary proceeding under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus court costs and reasonable attorneys' fees incurred by the Borough in the enforcement proceedings. Upon judgment against any person by summary conviction, or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs, the defendant may be sentenced and committed to the county correctional facility for a period not exceeding 30 days. Each day that

such violation exists shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense. In addition to or in lieu of enforcement under this section, the Borough may enforce this chapter in equity in the Court of Common Pleas of Westmoreland County.