

**COUNTY GOVERNMENT ORDINANCE
REGARDING EMERGENCY MANAGEMENT
O-020309**

SECTION I - DEFINITIONS

"Emergency" means any natural or man-made event requiring the activation of the Local Emergency Operations Plan.

"Disaster" means any natural, technological, civil emergency or threat thereof that causes or has the potential to cause damage of sufficient severity and magnitude to result in a declaration of a state of emergency declared by a county, the Governor or the President of the United States.

"State Emergency Management Director" means the person appointed by the Governor to head the Georgia Emergency Management Agency.

"Local Emergency Management Director" means the person nominated by the local governments and appointed by the State Emergency Management Director to implement the Local Emergency Operations Plan.

"Emergency Management means the preparation for the carrying out of all emergency functions other than functions for which military forces are primarily responsible to prevent, minimize, and repair injury and damage resulting from emergencies, energy emergencies, disasters, or the imminent threat thereof, of manmade or natural origin"... "These functions include, without limitation, fire-fighting services; police services [public safety]; medical and health services; rescue; engineering; warning services; communications; defense from radiological, chemical, and other special weapons; evacuation of persons from stricken areas; emergency welfare services; emergency transportation; [nuclear power] plant protection; temporary restoration of public service utility services; and other functions related to civilian protection, together with all other activities necessary or incidental to the preparation for and carrying out of the foregoing functions." (*Georgia Emergency Management Act of 1981, As Amended December 1992, Chapter 3, Article 1, 38-3-3.*)

SECTION II - LOCAL ORGANIZATION FOR EMERGENCY MANAGEMENT

In agreement with the governing officials of the cities within the county, there is hereby established the Covington/Newton County Emergency Management Agency. The chairperson of the Newton County Commissioners, with the concurrence of officials of the cities within the county, shall nominate, for appointment by the state emergency management director, a Director of the Covington/Newton County Emergency Management Agency. Upon appointment, the local emergency management agency director shall have direct responsibility for the organization, administration, and

operations of the local organization for emergency management, subject to the direction and control of the executive officer or governing body and shall serve at the pleasure of such executive officer or governing body. When appointed, the local Emergency Management Director is charged with the following duties:

- (a) Represent the governing officials of the county on matters pertaining to emergency management.
- (b) Assist local officials in organizing county departments for emergency operations.
- (c) Develop, in conjunction with county and city departments, the Covington/Newton County Emergency Operations Plan for emergency functions. Such plan will be in consonance with the Georgia Emergency Operations Plan and shall be submitted to the governing officials of Newton County and the cities within the county for approval, and thence to the Georgia Emergency Management Agency for approval.
- (d) Maintain the Emergency Management Agency and carry out the day-to-day administration of the Covington/Newton County emergency management program, including the submission of required reports, to the Georgia Emergency Management Agency.
- (e) Submit reports as required by governmental officials in keeping with Good management practices, e.g., financial, daily activities, etc.
- (f) Obtain, with the authority of governing officials, a facility to be used as the Newton County Emergency Operations Center.
- (g) Coordinate the activities of the Newton County Emergency Operating Staff during periods of emergency, and under the supervision of Newton County governing officials.

SECTION III – COVINGTON / NEWTON COUNTY EMERGENCY MANAGEMENT AGENCY

The Covington/Newton County Emergency Management Agency shall be established around existing county and city departments. The emergency support functions, (ESFs) and department / agency assignments are as follows:

(Department / Agency assignment listed below are examples only. It is the responsibility of local governments to make assignments based upon local capabilities.)

Emergency Support Function (ESF)	Department / Agency *
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Local Resolution

- | | |
|-------------------------------------------------------|-------------------------------------------------------------------------------------|
| 1. TRANSPORTATION | (P) County Road Dept
(S) City Public Works |
| 2. COMMUNICATIONS | (P) County 911 / Dispatch
(S) City Police Department |
| 3. PUBLIC WORKS &
ENGINEERING | (P) County Road Dept
(S) City Public Works |
| 4. FIREFIGHTING | (P) County Fire Department
(S) City Fire Department |
| 5. EMERGENCY MANAGEMENT | (P) County Emergency
Management Agency
(S) County / City Governments |
| 6. MASS CARE, HOUSING
& HUMAN SERVICES | (P) County DFACS
(S) Red Cross Chapter |
| 7. RESOURCE SUPPORT | (P) County Emergency
Management
(S) County / City Government |
| 8. PUBLIC HEALTH &
MEDICAL SERVICES | (P) County Public Health
(S) Local Hospital(s) |
| 9. SEARCH and RESCUE | (P) County Fire / Rescue
(S) City Fire / Rescue |
| 10. HAZARDOUS MATERIALS | (P) County Fire Department
(S) City Fire Department |
| 11. AGRICULTURE AND
NATURAL RESOUARES | (P) County Extension Agent
(S) County Emergency
Management Agency |
| 12. ENERGY | (P) County Emergency
Management Agency
(S) Local Utilities |
| 13. PUBLIC SAFETY &
SECURITY SERVICES | (P) County Sheriff
(S) City Police Department |
| 14. LONG TERM RECOVERY & | (P) County Emergency |

Local Resolution

MITIGATION

**Management Agency
(S) County Government**

15. EXTERNAL AFFAIRS

**(P) County Government (PIO)
(S) City Government (PIO)**

(* As appropriate to the local organization, these functions can be assigned to existing departments or may be separate. Functions should be assigned consistent with the local Emergency Operations Plan.)

Heads of county departments listed above are responsible for developing appropriate annexes and standard operating procedures (SOPs) to the Emergency Operations Plan (EOP) for their assigned emergency functions. Such annexes and / or SOPs will be submitted to the Emergency Management Director for inclusion in the local EOP for submission to appropriate local officials for approval.

SECTION IV – POWERS DURING AN EMERGENCY OR DISASTER

In the event of a man-made or natural disaster or any other emergency which may effect the lives and property of the citizens of Newton County, the Chairperson of the Newton County Commissioners separately, or jointly with the Mayor of Covington, Mansfield, Newborn, Oxford, and Porterdale City (ies), or in their absence their legally appointed successors may determine that an emergency or disaster exists and thereafter shall have and may exercise for such periods as such emergency or disaster continues, the following powers:

- (1) To appropriate and expend funds, execute contracts, and to obtain and distribute equipment, materials, and supplies for emergency management purposes;
- (2) To provide for the health and safety of persons and property, including emergency assistance to the victims of any emergency or disaster resulting from manmade or natural causes or enemy attack and to direct and coordinate the development of emergency management plans and programs in accordance with the policies and plans set by the federal and state emergency management agencies;
- (3) To appoint, employ, remove, or provide, with or without compensation, chiefs of services, warning personnel, rescue teams, auxiliary fire and police personnel, and other emergency management workers;
- (4) To establish a primary and one or more secondary control centers to serve as command posts during an emergency or disaster;
- (5) Subject to the order of the Governor or the chief executive of the political subdivision, to assign and make available for duty the employees, property, or equipment of the subdivision relating to fire-fighting, engineering, rescue, health, medical and related services, and to police, transportation, construction, and

similar items or services for emergency management purposes, within or outside of the physical limits of the subdivision;

(6) In addition to the heretofore stated powers and authorities, to acquire, temporarily or permanently, by purchase, lease, or otherwise, sites required for installation of temporary housing units for disaster victims; and to enter into whatever arrangements, including purchase, of temporary housing units and payment of transportation charges, which are necessary to prepare or equip such sites to utilize the housing units.

(Chapter 3, Article 2, 38-3-27 OCGA.)

SECTION V - VOLUNTEERS

All persons, other than officers and employees of Newton County, performing emergency functions pursuant to this resolution / ordinance, shall serve with or without compensation. While engaged in such emergency functions, duly assigned volunteers shall have the same immunities as county officers and employees. *Immunity does not apply in cases of willful misconduct, gross negligence or bad faith.* (Chapter 3, Article 2, 38-3-35.)

SECTION VI – PENALTIES

Any person violating any provision of this chapter, rule, order or regulation made pursuant to this chapter shall, upon conviction thereof, be punished as a misdemeanor.

SECTION VII – LIBERALITY OF CONSTRUCTION

This resolution / ordinance shall be construed liberally in order to effectuate its purpose.

SECTION VIII – EFFECTIVE DATE

This resolution / ordinance is effective immediately and where the provisions of this resolution are in conflict with existing local laws, the provisions of this resolution / ordinance will govern and such provisions of existing laws which are in conflict, are hereby rescinded.

Approved and adopted this 3rd day of February 2009.

NEWTON COUNTY BOARD OF COMMISSIONERS



Kathryn G. Morgan, Chairman



T.M. "Mort" Ewing, Commissioner District One



Earnest Simmons, Commissioner District Two



Nancy P. Schulz, Commissioner District Three

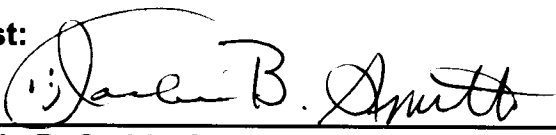


J.C. Henderson, Commissioner District Four



Tim Fleming, Commissioner District Five

Attest:



Jackie B. Smith, County Clerk



Local Resolution

JOINT CITY / COUNTY GOVERNMENT ORDINANCE REGARDING EMERGENCY MANAGEMENT

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(S) City Public Works

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(S) City Police Department |
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Local Resolution

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- (3) To appoint, employ, remove, or provide, with or without compensation, chiefs of services, warning personnel, rescue teams, auxiliary fire and police personnel, and other emergency management workers;
- (4) To establish a primary and one or more secondary control centers to serve as command posts during an emergency or disaster;
- (5) Subject to the order of the Governor or the chief executive of the political subdivision, to assign and make available for duty the employees, property, or equipment of the subdivision relating to fire-fighting, engineering, rescue, health, medical and related services, and to police, transportation, construction, and similar items or services for emergency management purposes, within or outside of the physical limits of the subdivision;
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(OCGA, Georgia Emergency Management Act 1981 as Amended Chapter 3, Article 2, 38-3-27.)

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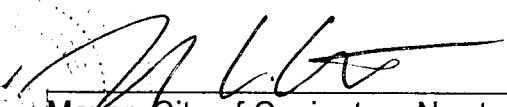
SECTION VIII – EFFECTIVE DATE

This resolution / ordinance is effective immediately and where the provisions of this resolution are in conflict with existing local laws, the provisions of this resolution / ordinance will govern and such provisions of existing laws which are in conflict, are hereby rescinded.

Signed this 3rd day of February, 2009.

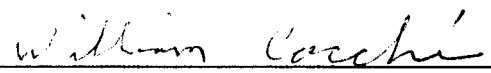

Chairman, Newton County Commissioners

Signed this 6th day of April, 2009



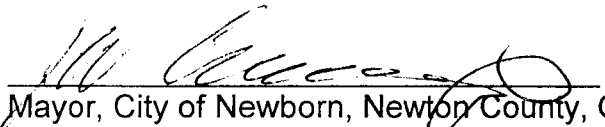
Mayor, City of Covington, Newton County, Georgia

Signed this 17th day of March, 2009



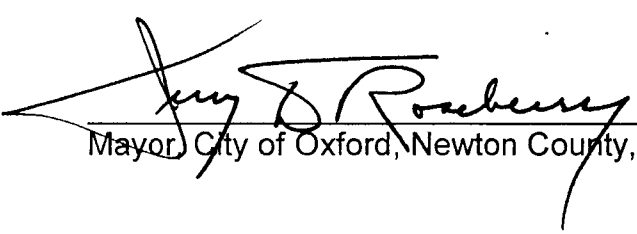
Mayor, City of Mansfield, Newton County, Georgia

Signed this 25th day of Feb., 2009



Mayor, City of Newborn, Newton County, Georgia

Signed this 15th day of April, 2009



Mayor, City of Oxford, Newton County, Georgia

Signed this 23 day of Feb, 2009



Mayor, City of Porterdale, Newton County, Georgia