

CHAPTER 35: NATIONAL INCIDENT MANAGEMENT

Section

- 35.01 Short title
- 35.02 Intent and purpose
- 35.03 Definitions
- 35.04 Adoption of NIMS
- 35.05 Appointment and duties of coordinator
- 35.06 Conflicting regulations; applicability

- 35.99 Penalty

§ 35.01 SHORT TITLE.

This chapter shall be known and may be cited and referred to as The National Incident Management System (NIMS) Chapter for the Town of Liberty.

(Ord. passed 9-26-2005)

§ 35.02 INTENT AND PURPOSE.

(A) It is the intent and purpose of this chapter to formally recognize the National Incident Management System, and adopt the principles and policies of the NIMS that will ensure the complete and efficient utilization of all of the Town of Liberty's resources to combat disaster resulting from enemy actions, or other disasters as defined herein.

(B) It is also the purpose of the NIMS to provide a consistent nationwide approach for federal, state, territorial, tribal and local governments to work effectively and efficiently together, to prepare for, prevent, respond to and recover from domestic incidents, regardless of cause, size or complexity.

(C) It is also the purpose of the NIMS to provide a common foundation for day to day operations, training and other preparedness efforts, and to communicate and share information with other responders and with the public, as well as to order resources to assist with a response efforts, and to integrate new technologies and standards to support incident management.

(Ord. passed 9-26-2005)

§ 35.03 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COORDINATOR. The Coordinator of the Randolph County Emergency Management Agency, as appointed and prescribed in this chapter.

DISASTER. An event included but not limited to actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic, accident, chemical spill or other impending or actual calamity, which endangers or threatens to endanger the health, life or property of constituted government.

EMERGENCY MANAGEMENT. Basic governmental functions of maintaining public peace, health and safety during an emergency. This term includes plans and preparations for protection and relief, as well as recovery and plans and preparations for protection and relief, as well as recovery and rehabilitation from effects of an attack by the forces of an enemy nation or the agents thereof, or a disaster as defined herein. It does not, however, include any activity that is the primary responsibility of the military forces of the United States.

EMERGENCY MANAGEMENT FORCES. The employees, equipment and facilities of all town departments, boards, councils, institutions and commissions, that are assigned the duties of responding to emergencies within the Town of Liberty, as well as all volunteer personnel, and all equipment and facilities obtained from or by volunteer persons or agencies that are assigned the duties of responding to emergencies within the Town of Liberty.

INCIDENT COMMAND SYSTEM (ICS). The combination of facilities, equipment, personnel, procedures and communications operating within a common organizational structure, designed to aid in domestic incident management activities, as outlined under Appendix A of the NIMS Document.

NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS). A document produced by the Department of Homeland Security under the direction of Presidential Directive-5, that strengthens response capabilities through a balance between flexibility and standardization, and use of common doctrine, terminology, concepts, principles and processes.

NIMS INTEGRATION CENTER (NIC). The federal agency established to develop and provide strategic direction and

facilitation of the NIMS, by supporting both routine maintenance and continuous refinement of the system and its components.

(Ord. passed 9-26-2005)

§ 35.04 ADOPTION OF NIMS.

(A) The Town of Liberty formally adopts the NIMS as: its system of response to a disaster; a common foundation for training and preparedness; a method of communicating and sharing information with other responders and with the public; a standard for ordering resources to assist with response efforts; and as a system for integrating new technologies and standards to support incident management.

(B) The NIMS principles and policies are to be adhered to by all emergency management forces and across all functional disciplines within the Town of Liberty, Randolph County, North Carolina.

(C) The Town of Liberty shall institutionalize the use of the ICS as outlined in Appendix A of the NIMS document, in order to enhance command, control and communication capabilities.

(Ord. passed 9-26-2005)

§ 35.05 APPOINTMENT AND DUTIES OF COORDINATOR.

(A) The Randolph County Director of Emergency Services shall serve as the Coordinator of NIMS operations, pursuant to this chapter.

(B) The Coordinator shall have the following duties and responsibilities:

(1) To consult with other agencies, municipalities and affected organizations in Randolph County and recommend levels of NIMS training. However, it shall be the responsibility of each agency to implement the training and to ensure its own commitment to NIMS; and

(2) To oversee Randolph County's commitment to the NIMS through planning, training and implementation.

(Ord. passed 9-26-2005)

§ 35.06 CONFLICTING REGULATIONS; APPLICABILITY.

(A) At all times when the orders, rules and regulations made and promulgated pursuant to this chapter are in effect, they shall supersede all existing ordinances, orders, rules and regulations insofar as the latter may be inconsistent therewith.

(B) The Town of Liberty hereby ratifies and adopts this chapter, including all forms and conditions specified herein.

(Ord. passed 9-26-2005)

§ 35.99 PENALTY.

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

(Ord. passed 9-26-2005) Penalty, see § 10.99