



TOWN OF SURF CITY

MARCH 15, 2019 WORK SESSION

Agenda

9:00 AM / Friday, March 15, 2019
Surf City Welcome Center, 102 N. Shore Drive

Call to Order

Mayor Douglas C. Medlin, Mayor

Invocation & Pledge

Introductions & Welcome

Today's Work Plan

1. Emergency Management Ordinance Update Section 6
2. Speed Reduction Hwy 50
3. FY 2019-2020 Budget Kickoff

Town Council Work Plan Items:

1. **Item 1: Emergency Management Ordinance Update Sec. 6**
Presentation by James Horne, Emergency Management Director
2. **Speed Reduction Hwy 50**
Presentation by Ron Shanahan, Police Chief
3. **FY 2019-2020 Budget Kickoff**
Discussion on FY 2019-2020 Budget

Sec 6.1. Intent and Purpose

- a. It is the intent and purpose of this Ordinance to establish a Department of Emergency Management that will insure the complete and efficient utilization of all Town of Surf City resources to combat impacts resulting from disasters, natural and manmade, utilizing the “All Hazards” framework.
- b. The Town of Surf City Department of Emergency Management will be the coordinating agency for all activity in connection with Emergency Management roles and responsibilities. It will be the instrument through which the Town of Surf City Elected and Executive officials shall exercise their authority and discharge the responsibilities vested in them during disasters and emergencies.
- c. This Ordinance will not relieve any subordinate department of the moral responsibilities or authority given to it in the Town of Surf City charter or by other local ordinance.

Sec 6.2. Definitions

- a. The following definitions shall apply in the interpretation of this Article:

“Attack” shall mean direct or indirect assault against the Town of Surf City, its government, its environs, or of the nation, by the forces of a hostile nation or the agents thereof, including assault by bombing, conventional or nuclear, chemical or biological warfare, terrorism or sabotage.

“All Hazards” shall mean those hazards identified through a risk assessment process that are likely to impact the Town of Surf City

“Director” shall mean the executive director of the Department of Emergency Management, appointed as prescribed in this Ordinance.

“Disaster” includes but is not limited to actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm epidemic, accident, chemical spill, air or other discharge into ground or water, or other impending or actual calamity endangering or threatening to endanger health, life or property of constituted government.

“Emergency Management” is the basic government function of maintaining the public peace, health and safety during an emergency. This term shall include plans and preparations for protection and relief, 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 shall not, however, include any activity that is the primary responsibility of the military forces of the United States.

“Emergency Management Forces” shall mean the employees, equipment and facilities of all Town of Surf City departments, boards, councils, institutions and commissioners; and in addition, it shall include all volunteer personnel, equipment and facilities contributed by, or obtained from, volunteer persons or agencies.

“Emergency Management Volunteer” shall mean any person duly registered, identified and appointed by the Director of the Department of Emergency Management, appointed as prescribed in this Ordinance.

“ICS” is an abbreviation for the Incident Command System, the standardized approach to the command, control, and coordination of emergency response providing a common hierarchy within which responders from multiple agencies can be effective

“NIMS” is an abbreviation for the National Incident Management System, defined as a framework of concepts and principles for all threats, hazards, and events across all mission areas (Mitigation, Preparedness, Response, Recovery); Scalable, flexible, and adaptable; used for all incidents, from day-to-day to large-scale

“Regulations” shall include plans, programs and other emergency procedures deemed essential to Emergency Management.

“Volunteer” shall mean contributing a service, equipment or facilities to the Town of Surf City Department of Emergency Management without remuneration.

Section 6.3. Establishment and Organization of the Department of Emergency Management

1. The organization shall consist of the following:
 - (a) A Department of Emergency Management within the Town of Surf City government under the direction of the Town of Surf City Governing Body, with daily oversight provided by the Town Manager. The department head of the Department of Emergency Management shall be known as the Director, and such assistants and other employees as are deemed necessary for the proper functioning of the agency will be appointed.
 - (b) The employees, participants, and resources of all Town of Surf City departments shall participate in Emergency Management activities, under the direction of the Director of the Department Emergency Management. Where possible, Duties assigned to Town departments shall be the same as or similar to the normal duties of the department, where possible.
 - (c) Volunteer personnel and agencies offering service to and accepted by the Town of Surf City.
2. The Town of Surf City Town Manager, with the concurrence of the Town of Surf City Governing Body, shall appoint a Director of the Town of Surf City Department of Emergency Management, who shall be a person well versed and trained in planning operations involving the activities of many different agencies which will operate to protect the public health, safety and welfare in the event of danger from threats as defined in this Ordinance.
3. The Director shall designate and appoint a Coordinator, where feasible, to assume the emergency duties of the Director in the event of his absence or inability to act.

Sec. 6.4. Daily Duties and Responsibilities of the Director

1. Comprehensive Emergency Management plans shall be adopted and maintained by resolution of the Town of Surf City Governing Body. In the preparation of these plans as it pertains to town organization, it is intended that the services, equipment and facilities and personnel of all existing departments and agencies shall be utilized to the fullest extent. When approved, it shall be the duty of all departments and agencies to perform the functions assigned by these plans and to maintain their portions of the plans in a current state of readiness at all times. These plans shall have the effect of law whenever a disaster, as defined in this Ordinance, has been proclaimed
2. The Director shall prescribe, in the emergency plans, those positions within the disaster organization, in addition to his own, for which lines of succession are necessary. In each instance, the responsible person will designate and keep on file with the Coordinator a current list of three (3) persons as successors to his position. The list will be in order of succession and will, nearly as possible, designate persons best capable of carrying out all assigned duties and functions, regardless of rank or title.
3. Each department head assigned responsibility in the plans shall be responsible for carrying out all duties and functions assigned therein. Duties will include the organization and training of assigned employees. Each department head shall formulate an Annex to implement within the planning package for his department.
4. These plans shall be submitted to the Director. If approved, the Director will then submit the Department Annex to the Town of Surf City Governing Body with his recommendation for their approval. Such amendments shall take effect 30 days from the date of approval.
5. When a required competency or skill or a disaster function is not available within government, the Director is authorized to seek assistance from persons outside of government. The assignment of duties, when of a supervisory nature, shall also include the granting of authority for the persons so assigned to carry out such duties prior to, during and after, the occurrence of a disaster. Local government on a voluntary basis may accept such services from persons outside of government. Such citizens shall be enrolled as Emergency Management Volunteers.

Sec 6.5. Duties and Responsibilities of the Director During Times of Disaster, Major Incident, or Declared Emergency

1. During times of disaster, major incident, or declared emergency, in conjunction with the Town Manager, the Director is hereby delegated authority from the Town of Surf City Governing Body, and shall take all such action needed to protect citizens, property, town interests, and the environment from any hazard, threat or actual, and shall retain this authority until such time the aforementioned threat has been abated.
2. During these times, all Town of Surf City department resources and assets utilized within the emergency management framework, shall be at the direction and control of the Director. All actions, unless clearly imminent and necessary, will be prescribed by the Director.
3. This provision does not shift “normal daily operations” responsibility from individual departments and their respective department heads. These remain the responsibility of the department, under the direction and control of the respective department head.

Sec 6.6. Release of Liability, No municipality liability

This Ordinance is an exercise by the Town of Surf City as its governmental functions for the protection of the public peace, health, and safety, and neither the Town of Surf City, nor agents and representatives, if some, or any individual receiver, firm, partnership, corporation, association, or trustee, or any of the agents thereof in good faith carrying out, complying with or attempting to comply with any order, rule or regulation promulgated pursuant to the provisions of this Ordinance, shall be liable for any damage sustained to person or property as the result of said activity.

Sec 6.7. Violations

It shall be a misdemeanor for any person to violate any of the provisions of this Ordinance 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 Ordinance or any plan issued thereunder.

SEC 6.8. CONFLICTING ORDINANCES, ORDERS RULES, AND REGULATIONS SUSPENDED

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

SEC 6.9. SEVERABILITY

Should any provision of this Ordinance be declared invalid for any reason, such declaration shall not affect the validity of the other provisions, or of this Ordinance, as a whole, it being the legislative intent that the provisions of this Ordinance shall be severed and remain valid notwithstanding such declaration.

Background Speed Reduction

In recent weeks there has been some discussion with Deputy Division Engineer, Chad Kimes and I about the speed limit on Hwy 50 from the mainland traffic circle to the Belt Rd. traffic light. Currently, the speed limit is 45 mph. During the construction phase of the mainland traffic circle, I suggested the speed limit be temporarily lowered to 35 mph. Chad Kimes agreed, and the speed limit was lowered. All construction has since been completed and the posted speed limit is now 45 mph again. Mr. Kimes and I spoke a couple of weeks ago about some of my concerns in relation to vehicle collision and current and future growth rates on Hwy 50. He stated he could do a traffic study but agreed with me about the speed limit being permanently lowered to 35 mph on this one mile stretch of highway. I would like to share some traffic collision data with each of you if given the opportunity.

Ron Shanahan
Police Chief