

ARTICLE 147
Emergency Management Agency

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CROSS REFERENCES

State law provisions - see 35 P.S. §2001 et seq.
Civil Defense Director directed by Public Safety Department - see
ADM. 143.01
Civil emergencies - see GEN. OFF. Art. 709

147.01 ESTABLISHMENT.

A local emergency management agency is hereby established and shall be known as the York City Emergency Management Agency.
(Ord. 7-2001. Passed 9-4-01.)

147.02 AUTHORITY.

The York City Emergency Management Agency is established pursuant to the provisions of the Emergency Management Services Code (35 Pa. C.S.A. Section 7101 et seq.).
(Ord. 7-2001. Passed 9-4-01.)

147.03 GENERAL DUTIES AND RESPONSIBILITIES.

The York City Emergency Management Agency shall have the responsibility for emergency management and disaster response and recovery within The City of York. The York City Emergency Management Agency shall also provide emergency management and disaster response and recovery services outside The City of York as required by the terms and conditions of this article.
(Ord. 7-2001. Passed 9-4-01.)

147.04 DECLARATION OF DISASTER EMERGENCY.

(a) A local disaster emergency may be declared by the Mayor of York City. In addition, the Mayor is hereby authorized to declare a local disaster emergency subject to ratification by the City Council within seven (7) days of such declaration.

(b) A local disaster emergency may only be declared upon finding by the Mayor 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 (7) days unless approved by the York City 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 any 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 local emergency management plan shall be activated, and all provisions for aid and assistance thereunder shall be authorized.
(Ord. 7-2001. Passed 9-4-01.)

147.05 TEMPORARY SUSPENSION OF FORMAL REQUIREMENTS.

Upon declaration of a disaster emergency, The City of York, pursuant to 7301(c) of the Emergency Management Services Code shall be authorized to exercise the powers granted in the article 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 City of York 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," in connection with the employment of personnel in local organizations established pursuant to the provisions of this article.
(Ord. 7-2001. Passed 9-4-01.)

147.06 LOCAL COORDINATOR OF EMERGENCY MANAGEMENT.

(a) The York City 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.

(b) The Coordinator of the York City Emergency Management Agency shall be appointed by the Governor of the Commonwealth of Pennsylvania upon recommendation of the Mayor of York City. The Mayor may, upon agreement by resolution with adjoining municipalities, recommend to the Governor a candidate for Coordinator for emergency management activities in the said political subdivisions. The Emergency Management Coordinator shall serve at the pleasure of Mayor.

- (c) The Coordinator of the York City 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 York City Emergency Management Agency;
 - (6) Responsibility for the professional in-service training of the Coordinator of the York City Emergency Management Agency shall rest with the Emergency Management Coordinator of York County.

(d) The City of York will reimburse its coordinator for actual expenses incurred as the result of his or her attendance at scheduled meetings and training programs. (Ord. 7-2001. Passed 9-4-01.)

147.07 POWERS AND DUTIES OF THE YORK CITY EMERGENCY MANAGEMENT AGENCY.

The York City Emergency Management Agency is hereby directed to:

- (a) Prepare, maintain and keep current a disaster emergency plan for the City of York for the prevention and minimization of injury and damage caused by 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 City of York.
- (c) Establish a warning and communications system for the City 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 article;
- (e) Provide individual and organizational training programs for police officers, firefighters, rescue personnel, ambulance personnel, emergency management volunteers and the general public to insure prompt, efficient and effective disaster emergency services;
- (f) Organize, prepare and coordinate all locally available manpower, materials, supplies, equipment and 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 York City Emergency Management Agency may adopt pursuant to the provisions of this article;
- (i) Cooperate and coordinate with any public and private agencies or entities in achieving any purpose of this article;
- (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 periodic reports to the York City Council on the status and programs of the York City 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 York City 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 City of York that are particularly vulnerable to disasters;
- (p) Upon request of the Mayor, the City Council or a duly authorized City official, assist The City of York and or its police, fire, rescue, or emergency medical services in handling and coordinating special, non-disaster emergencies and situations.
(Ord. 7-2001. Passed 9-4-01.)

147.08 COORDINATION, ASSISTANCE AND MUTUAL AID.

The Coordinator of the York City 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 York City 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.
(Ord. 7-2001. Passed 9-4-01.)

147.09 APPROVALS AND RATIFICATION OF AGREEMENTS.

- (a) Except during local disaster emergencies, the York City Council shall:
 - (1) Review and approve the York City Emergency Management Plan.

(b) All mutual aid agreements (Section 147.08) shall be ratified by the York City Council and by the governing bodies of the other, affected municipalities prior to implementation.

(Ord. 7-2001. Passed 9-4-01.)

147.10 GIFTS AND GRANTS OF MONIES.

Any gift or grants of monies made to the York City Emergency Management Agency or to The City of York for the payment of expenses incurred or to be incurred by or for the York City Emergency Management Agency shall be deposited in the treasury of The City of York and shall be appropriated only for the purpose for which the gift or grants were made.

(Ord. 7-2001. Passed 9-4-01.)

147.11 REPRESENTATION ON BOARDS AND AGENCIES.

Nothing in this article shall be construed as prohibiting the York City Emergency Management Agency or the York City 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.

(Ord. 7-2001. Passed 9-4-01.)

147.12 INSIGNIA AND IDENTIFYING MARKS.

The York City Emergency Management Agency may 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.

(Ord. 7-2001. Passed 9-4-01.)

147.13 APPLICABILITY OF STATE STATUTES.

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

(Ord. 7-2001. Passed 9-4-01.)