

**TOWN OF SULLIVAN
EMERGENCY MANAGEMENT RESPONSE
ORGANIZATION ORDINANCE
ADOPTED JUNE 30, 1997**

- A. There is created an Emergency Operating Preparedness Force entity in compliance and conformity with provisions of Title 37-B M.R.S.A., Section 701 et., Seq., hereinafter referred to as the Response Team.
- B. The Select Board shall be responsible for the Response Team's organization, administration and operation. The Select Board may employ such employees as they deem necessary and prescribe their duties.
- C. The Select Board shall designate the Fire Chief as the Emergency Response Team Leader. The Response Team leader shall coordinate activities of the town fire department and constables and maintain liaison with other civil preparedness agencies, Public Safety agencies and have such additional duties and responsibilities as may be prescribed by the Select Board.

Section 2-137 Rules and Regulations

The Fire Chief shall prepare, under the direction and control of the Select Board, such Policies as may be deemed necessary for the administration and operational requirements of the Response Team, which policies must be approved by the Select Board prior to becoming effective. The Select Board shall accept, amend, or reject same.

The Select Board shall have the power and authority, after consultation with the Fire Chief, to issue a proclamation that an emergency exists under conditions specified in Title 37-B M.R.S. A., Section 742. The proclamation may declare that an emergency exists in any or all sections of the Town. A copy of such proclamation shall be filed with the Town Clerk within 24 hours.

- A. Notwithstanding the above, when consultation would result in a substantial delay in an effective response in alleviating or preventing an emergency or disaster, the Fire Chief is authorized to take whatever actions are necessary to prevent the loss of life and property in the Town.
- B. The Select Board has the authority to proclaim an emergency state for or within the Town.

Duties and Emergency Powers

- A. During any period when an emergency or disaster exists or appears imminent, the Select Board, in consultation with the Fire Chief, when possible, may promulgate such regulations as necessary to preserve and protect life and resources with the town. Such regulations may include but shall not be limited to the following:
 - 1. Regulations prohibiting or restricting the movement of vehicles or to facilitate the movement of persons from areas within or without the city.
 - 2. Regulations pertaining to the movement of persons from areas deemed hazardous to them.

3. Such other regulations necessary to preserve public peace, health and safety.
- B. The Select Board shall be authorized to request aid and/or assistance from county and/or state agencies and shall render assistance to other areas under provisions of Title 37-B M.R.S.A.
 - C. It is proclaimed and ordered that during a local emergency, the functions and duties of the Response Team shall be those prescribed by state law, town ordinances and Select Board promulgations.
 - D. The provisions of the above subsections will terminate at the ending of the declared emergency.

Emergency Operating Preparedness Force

Emergency Operating Preparedness Force shall mean the Town employees, the Sullivan Fire Department, and the various Boards/Committees that have been appointed by the Select Board, and any volunteer personnel, including town owned equipment and facilities, and those contributed by or obtained from volunteer sources.

No Municipal or Private Liability Immunity From Liability Shall be Set Forth in Title 37-B M.R.S.A., Section 882, Compensation for Injuries

All members of the Emergency Operating Preparedness Force shall be deemed to be employees of the State when engaged in training for or on duty, and shall have the rights of state employees under the Worker's Compensation Act and as specified in Title 37-B M.R.S.A., Section 823.

Right of Way; Penalty; Jurisdiction

Personnel and equipment required to respond to an emergency or disaster shall have the right-of-way over all public ways and roads and anyone failing to grant said right-of-way shall suffer penalties as specified under Title 37-B M.R.S.A., Section 828.

Violators of Regulations

It shall be unlawful for any person to violate any of the provisions of this article or of the regulations issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay and member of the Emergency Operating Preparedness Force as herein defined in the enforcement of the provisions of this article or any regulation issued thereunder.

Violators of the Above are Guilty of Class E Crime

Saving Clause

Should any section or part thereof in this article be declared invalid by the Court the same shall not effect the validity of the article as a whole or any part thereof, other than the part so declared to be invalid.