

32.03 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply.

ASSISTANT ~~COORDINATOR~~ MANAGER. The person assigned as the ~~Assistant to the~~ Emergency Management ~~Assistant Manager~~ ~~Coordinator~~. The **ASSISTANT MANAGER ~~COORDINATOR~~** will complete within the prescribed time all training required of an ~~Assistant~~ ~~Coordinator~~ by the Illinois Emergency Management Agency.

~~COORDINATOR~~ MANAGER. The person assigned as Emergency Management ~~Agency~~ ~~Coordinator~~ ~~Manager~~ with the duty of carrying out the requirements of this chapter. The **COORDINATOR MANAGER** will complete within the prescribed time all training required of a ~~Coordinator~~ by the Illinois Emergency Management Agency.

DISASTER. An occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from any natural or man-made cause, including but not limited to fire, flood, earthquake, wind, storm, hazardous materials spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, explosion, critical shortages of essential fuels and energy, riot, or hostile military or paramilitary action. **DISASTER** includes, but is not limited to, all occurrences and threats thereof which are contemplated by the concept of “emergency management operations”.

DISASTER OPERATIONS. Functions created in accordance with the provisions of this chapter to be performed by the county in cooperation with other political subdivisions to alleviate the effects of disaster.

EMERGENCY MANAGEMENT. The efforts of this county to develop, plan, analyze, conduct, implement, and maintain programs for disaster mitigation.

EMERGENCY OPERATIONS PLAN. The written plan of the county describing the organization, mission, and functions of the government and supporting services for responding to and recovery from disasters.

EMERGENCY SERVICES. The preparation for and the carrying out of functions, other than functions for which military forces are primarily responsible, as may be necessary or proper to prevent, minimize, repair, and alleviate injury and damage resulting from disasters caused by fire, flood, earthquake, or other man-made or natural causes. These functions include without limitation firefighting services, police services, emergency aviation services, medical and health services, rescue, engineering, warning services, communications, radiological, chemical, and other special weapons defense, evacuation of persons from stricken areas, emergency assigned functions of plant protection, temporary restoration of public utility services, and other functions related to civilian protection, together with all other activities necessary or incidental to protecting life and property.

POLITICAL SUBDIVISION. Any county, city, village, or incorporated town or township, or other taxing body.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

§ 32.04 LAKE COUNTY EMERGENCY MANAGEMENT AGENCY.

(A) There is hereby created an Emergency Management Agency and a ~~€~~Coordinator of the Emergency Management Agency, herein called the “~~Coordinator~~ ~~Manager~~”, who shall be the head thereof. The ~~Coordinator~~ ~~Manager~~ shall be a civilian employee possessing the professional qualifications and expertise to perform the duties of ~~Coordinator~~ ~~Manager~~ and shall be appointed in the same manner as are the heads of regular county governmental departments.

(B) The Lake County Emergency Management Agency shall obtain, with County Board approval, technical, clerical, stenographic, and other administrative personnel, and may make any expenditures within their appropriation therefor as may be necessary to carry out the purpose of the chapter.

(C) The ~~Coordinator~~ **Manager**, subject to the administrative direction of the County Administrator, shall be the executive head of the Lake County Emergency Management Agency, and shall be responsible under the direction of the Chair of the County Board for carrying out the program for emergency management operations of this county. The ~~Coordinator~~ **Manager** shall coordinate the activities of all organizations for emergency management operations within this county and shall maintain liaison, and cooperate with the civil defense and Emergency Management Agencies and organizations of this county, other counties and municipalities, and the federal and state governments.

(D) In the event of the absence, resignation, death, or inability to serve by the ~~Coordinator~~ **Manager**, the Assistant ~~Coordinator~~ **Manager** or any persons designated by the Chair of the County Board shall be and act as ~~Coordinator~~ **Manager** until new appointment is made as provided in this chapter. The ~~Coordinator~~ **Manager** may be removed by the County Administrator with the advice of the County Board Chair in the same manner as other county department heads, pursuant to the Lake County Employee Policies and Procedures Ordinance. The Lake County Emergency Management Agency shall take an integral part in the development and revision of the local emergency operations plan.

(E) In the development of the emergency operations plan, the Lake County Emergency Management Agency shall interrelate with business, labor, industry, agriculture, civic and volunteer organizations, and community leaders.

(F) The Lake County Emergency Management Agency shall:

(1) Determine the requirements of the county for food, clothing, and other necessities in the event of an emergency;

(2) Develop an emergency operations plan that meets the standards promulgated by the Illinois Emergency Management Agency;

(3) Review and revise the local emergency operations plan every other year;

(4) Establish a register of persons with types of training and skills in emergency prevention, preparedness, response, and recovery;

(5) Establish a register of government and private response resources available for use in a disaster;

(6) Prepare, for issuance by the Chair of the County Board, ordinances, resolutions, proclamations, and regulations as necessary or appropriate in coping with disasters;

(7) Cooperate with the federal, state, and county government and any public or private agency or entity in achieving any purpose of this chapter and in implementing programs for disaster prevention, preparation, response, and recovery;

(8) Initiate and coordinate planning for the establishment of an emergency operations center, and ensure the emergency operations center is maintained and ready for use immediately when needed;

(9) Develop, coordinate, and implement a plan to annually exercise the functions of the emergency operations center; and

(10) Do all other things necessary, incidental or appropriate for the implementation of this chapter.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

§ 32.05 EMERGENCY MANAGEMENT POWERS OF THE CHAIR OF THE COUNTY BOARD.

(A) The County Administrator in coordination with the Chair of the County Board shall have the general direction and control of the Emergency Management Agency, and shall be responsible for the carrying out of the provisions of this chapter.

(B) In performing the duties under this chapter, the Chair is authorized to cooperate with state and federal governments and with other municipalities and political subdivisions in all matters pertaining to emergency management operations defined in this chapter.

(C) In performing the duties under this chapter, the Chair is further authorized:

(1) To make, amend, and rescind all lawful necessary orders, rules, and regulations of the local disaster plan to carry out the provisions of this chapter within the limits of the authority conferred upon him or her;

(2) To cause to be prepared a comprehensive plan and program for the emergency management of this county, which plan and program shall be integrated into and coordinated with disaster plans of the state and federal governments and of other political subdivisions, and which plan and program may include:

- (a) Prevention and minimization of injury and damage caused by disaster;
- (b) Prompt and effective response to disaster;
- (c) Emergency relief;
- (d) Identification of areas particularly vulnerable to disasters;
- (e) Recommendations for zoning, building, and other land-use controls, safety measures for securing permanent structures, and other preventative preparedness measures designed to eliminate or reduce disasters or their impact;
- (f) Assistance to local officials in designing local emergency operations plans;
- (g) Authorization and procedures for the erection or other construction of temporary works designed to protect against or mitigate danger, damage or loss from flood, conflagration, or other disaster;
- (h) Organization of county manpower and chains of command;
- (i) Coordination of local emergency management activities; and
- (j) Other necessary matters.

(3) In accordance with the plan and program for the emergency management of this county, and out of funds appropriated for those purposes, to procure and preposition supplies, medicines, materials, and equipment, to institute training programs and public information programs, and to take all other preparatory steps, including the partial or full mobilization of emergency management organizations in advance of actual disaster, to ensure the furnishing of adequately trained and equipped forces for disaster operations; and

(4) Out of funds appropriated for those purposes, to make any studies and surveys of the industries, resources, and facilities in this county as may be necessary to ascertain the capabilities of the county for the emergency management phases of mitigation, preparedness, response, and recovery, and to plan for the most efficient emergency use thereof.

(D) The Chair is authorized to designate space in a county building or elsewhere for the Emergency Management Agency as its office.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

§ 32.06 FINANCING.

(A) It is the intent of the County Board and declared to be the policy of the county that every effort shall be made to provide funds for disaster emergencies.

(B) It is the County Board's intent that the first recourse shall be to funds regularly appropriated to the agency. If the Chair finds that the demands placed upon these funds in coping with a particular disaster are unreasonably great, and if the Chair finds that other sources of money to cope with the disaster are not available or are insufficient, the Chair may issue a call for an immediate session of the County Board for the purpose of enacting ordinances as the Board may deem necessary to transfer and expend monies appropriated for other purposes, to borrow monies from the United States government or other public or private sources. If less than a quorum of the members of the Board is capable of convening in session to enact these ordinances for the transfer, expenditure, or loan of monies, the Chair is authorized to carry out those decisions until such time as a quorum of the Board can convene.

(C) Nothing contained in this section shall be construed to limit the Chair's authority to apply for, administer, and expend grants, gifts, or payments in aid of disaster prevention, mitigation, preparedness, response, or recovery.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

§ 32.07 LOCAL DISASTERS.

(A) A local disaster may be declared only by the Chair of the County Board or the successors as described in this chapter. When declared by the Chair, any disaster declaration shall not be continued for a period in excess of seven days except by or with the consent of the County Board. Any order or proclamation declaring, continuing, or terminating a local disaster shall be given prompt and general publicity, and shall be filed promptly with the Lake County Clerk.

(B) The effect of a declaration of a local disaster is to activate the response and recovery aspects of any and all applicable local emergency operations plans and to authorize the furnishing of aid and assistance thereunder.

(C) During a local disaster, the Chair may suspend the provisions of any county ordinance prescribing procedures for the conduct of county business, or the orders, rules, and regulations of any county agency, if strict compliance with the provisions of any ordinance, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency, as authorized by the Illinois Emergency Management Agency Act; provided that, if the County Board meets at that time, the Chair shall act subject to the directions and restrictions imposed by the body.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

§ 32.08 TESTING OF CIVIL DEFENSE AND DISASTER WARNING DEVICES.

The testing of disaster warning devices including outdoor warning sirens shall be held only on the first Tuesday of each month at 10:00 in the morning.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

§ 32.09 MUTUAL AID ARRANGEMENTS BETWEEN POLITICAL SUBDIVISIONS.

The ~~Coordinator~~ **Manager** for emergency management operations may, in collaboration with other public agencies within his or her immediate vicinity, develop or cause to be developed mutual aid arrangements with other political subdivisions, municipal corporations, or bodies politic within this state for reciprocal disaster response and recovery in case a disaster is too great to be dealt with unassisted. The mutual aid shall not, however, be effective unless and until approved by each of the political subdivisions, municipal corporations, or bodies of politic that are parties thereto, in the manner provided by law, and unless and until filed with and approved in writing by the Illinois Director. These arrangements shall be consistent with the state and local emergency management operations plan and program, and in the event of a disaster as described

in § [32.03](#), it shall be the duty of each local department for emergency management operations to render assistance in accordance with the provisions of the mutual aid arrangements.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

📖 § 32.10 COMMUNICATIONS.

The Lake County Emergency Management Agency shall ascertain what means exist for rapid and efficient communications in times of disaster emergencies. The agency shall consider the desirability of supplementing these communications resources or of integrating them into a comprehensive system or network. In studying the character and feasibility of any system or its several parts, the agency shall evaluate the possibility of multipurpose use thereof for general county and local governmental purposes. The agency shall make recommendations to the Chair of the County Board as appropriate.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

📖 § 32.11 IMMUNITY.

Neither the county, the agency, or any member thereof or any person acting at their direction, engaged in any emergency management operations or disaster activities, while complying with or attempting to comply with this chapter or any rule or regulations promulgated pursuant to this chapter, is liable for the death of or any injury to persons, or damage to property, as a result of the activity. This section does not, however, affect the right of any person to receive benefits to which he or she would otherwise be entitled under this act, under the Worker's Compensation Act or the Worker's Occupational Diseases Act, or under any pension law, and this section does not affect the right of any person to receive any benefits or compensation under any act of Congress.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

📖 § 32.12 PROFESSIONS, TRADES, AND OCCUPATIONS.

If a disaster as is described in § [32.03](#) occurs in this county and the services of persons who are competent to practice any profession, trade, or occupation are required in this county to cope with the disaster situation, and it appears that the number of persons licensed or registered in this county to practice the profession, trade, or occupation may be insufficient for that purpose, then any persons who are licensed elsewhere to practice the profession, trade, or occupation may, if a member of another political subdivision rendering aid in this county pursuant to the order of the head of that political subdivision and upon the request of the county, or if otherwise requested so to do by the Chair or the ~~Coordinator~~ **Manager** of this county, during the time the disaster condition continues, practice the profession, trade, or occupation in this county without being licensed or registered in this county.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

📖 § 32.13 APPROPRIATIONS FOR EMERGENCY MANAGEMENT OPERATIONS.

The County Board may make appropriations for emergency management operations in the manner provided by law for making appropriations for the ordinary expenses of the political subdivision.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

📖 § 32.14 AUTHORITY TO ACCEPT SERVICES, GIFTS, GRANTS, OR LOANS.

Whenever the federal or state governments, or any agency or officer thereof, or whenever any person, firm, or corporation shall offer to the county services, equipment, supplies, materials, or funds by way of gift or grant for purposes of emergency management, the county, acting through the Chair or through the County Board, may accept the offer, and upon this acceptance the Chair

or the County Board may authorize any officer of the county to receive services, equipment, supplies, materials, or funds on behalf of the county.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

📖 § 32.15 ORDERS, RULES, AND REGULATIONS.

(A) The Chair of the County Board shall file a copy of every rule, regulation, or order and any amendment thereof made by him or her pursuant to the provisions of this chapter in the office of the Lake County Clerk. No such rule, regulation, or order, or any amendment upon the declaration of a disaster emergency by the Chair as is described in § [32.07](#), the provision relating to the effective date of any rule, regulation, order, or amendment issued pursuant to this chapter and during the state of the disaster emergency, is abrogated, and the rule, regulation, order, or amendment shall become effective immediately upon being filed with the Lake County Clerk, accompanied by a certificate stating the reason for the emergency.

(B) The Lake County Emergency Management Agency established pursuant to this chapter, and the ~~Coordinator~~ **Manager** thereof, shall execute and enforce orders, rules, and regulations as may be made by the Governor under authority of the Illinois Emergency Management Agency Act. The Lake County Emergency Management Agency shall have available for inspection at its office all orders, rules, and regulations made by the Governor, or under this authority. The Illinois Emergency Management Agency shall furnish the orders, rules, and regulations to the agency.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

📖 § 32.16 UTILIZATION OF EXISTING AGENCY, FACILITIES, AND PERSONNEL.

In carrying out the provisions of this chapter, the Chair and the ~~Coordinator~~ **Manager** of the Lake County Emergency Management Agency are directed to utilize the services, equipment, supplies, and facilities of existing departments, offices, and agencies of the county to the maximum extent practicable, and the officers and personnel of all the departments, offices, and agencies are directed, upon request, to cooperate with and extend the services and facilities to the ~~Coordinator~~ **Manager** and the Lake County Emergency Management Agency.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

📖 § 32.17 NO PRIVATE LIABILITY.

(A) Any person owning or controlling real estate or other premises who voluntarily and without compensation grants a license or privilege, or otherwise permits the designation or use of the whole or any part of parts of the real estate or premises for the purpose of sheltering persons during an actual or impending disaster, or a mock or practice disaster response activity, together with his or her successors in interest, if any, shall not be civilly liable for negligently causing the death of, or injury to, any person on or about the real estate or premises under the license, privilege, or other permission, or for negligently causing loss of, or damage to, the property of the person.

(B) Any private person, firm, or corporation and employees and agents of the person, firm, or corporation in the performance of a contract with, and under the direction of, the county under the provisions of the chapter, shall not be civilly liable for causing the death of, or injury to, any person or damage to any property except in the event of willful misconduct.

(C) Any private person, firm, or corporation, and any employee or agent of the person, firm, or corporation, who renders assistance or advice at the request of the county, shall not be civilly liable for causing the death of, or injury to, any person or damage to any property except in the event of willful misconduct. The immunities provided in this subsection (C) shall not apply to any private person, firm, or corporation, or to any employee or agent of the person, firm, or

corporation whose act or omission caused in whole or in part the actual or impending disaster and who would otherwise be liable therefor.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

📖 § 32.18 SUCCESSION.

In the event of the death, absence from the county or other disability of the Chair preventing him or her from acting under this chapter or for any other county purpose, and until the office is filled in the manner prescribed by law, the following county officials shall succeed to the duties and responsibilities of the Chair outlined in §§ [32.05](#), [32.06](#) and [32.07](#):

- (A) Vice-Chair of the County Board; and
- (B) Chair of Financial and Administrative Committee.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

📖 § 32.19 COMPENSATION.

The County Board, by its annual appropriations ordinance, may provide for the payment of the salary of the ~~Coordinator~~ **Manager** and any other office staff and personnel as may be expressly provided for in this chapter. Nothing herein contained shall prohibit any member of the agency from receiving compensation from the Illinois Emergency Management Agency under any provisions of that agency.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)

📖 § 32.20 EMERGENCY MANAGEMENT AGENCY PERSONNEL OATH.

Each person, whether compensated or non-compensated, who is appointed to serve in any capacity with the Lake County Emergency Management Agency, shall, before entering upon his or her duties, take an oath, in writing, before the ~~Coordinator~~ **Manager** of the Lake County Emergency Management Agency or before a person authorized to take oaths in this county, which oath shall be filed with the ~~Coordinator~~ **Manager** of the Lake County Emergency Management Agency, and which oath shall be as delineated in 20 ILCS 3305/20.

(1977 Code, § 3:5-1) (Res./Ord. passed 4-10-2007)