

AN ORDINANCE TO CREATE AN ORDINANCE GOVERNING CIVIL DEFENSE
IN THE TOWN OF SUPERIOR

The Town Board of the Town of SUPERIOR do ordain as follows:

An Ordinance entitled "Civil Defense for Town of SUPERIOR" is created to read:

Section 1. POLICY AND PURPOSE.

(1) To ensure that the Town of SUPERIOR will be prepared to cope with emergencies resulting from enemy action and with emergencies resulting from natural disasters, a County-Municipal Civil Defense Organization is hereby created to carry out the purpose set out in Chapter 22 of the Wisconsin Statutes.

(2) Definitions. As used in the ordinance: (a) The term "enemy action" means all hostile action taken by a foreign power which threatens the security of the State of Wisconsin. (b) The term "civil defense" means all those activities and measures designed or undertaken; 1) to minimize the effects upon the civilian population caused or which would be caused by enemy action, 2) to deal with the immediate emergency conditions which could be created by such enemy action, and 3) to effectuate emergency repairs to, or the emergency restoration of, vital action. (c) The term "natural disaster" includes all other extraordinary misfortunes affecting the country, natural or manmade, not included in the term "enemy action".

Section 2. COUNTY - MUNICIPAL CIVIL DEFENSE COMMITTEE

(1) How Constituted. The County Board shall create a joint County-Municipal Civil Defense Committee including the Chairman of the County Board as chairman of the committee and five (5) additional members of the County Board.

(2) Duties of the County-Municipal Civil Defense Committee. The County-Municipal Civil Defense Committee shall be an advisory and planning group and shall advise the County-Municipal Civil Defense Director, the County Board of Supervisors and all participating municipalities on all matters pertaining to civil defense. It shall meet upon call of the chairman or any three members thereof.

Section 3. COUNTY - MUNICIPAL CIVIL DEFENSE DIRECTOR.

(1) Joint Director. There is hereby created the office of County-Municipal Civil Defense Director. The Director shall hold the office of Civil Defense Director of the County and in addition to his duties as County Civil Defense Director he shall have the additional duties and responsibilities of the Municipal Civil Defense Director for each participating municipality as set forth in the Wisconsin Statutes.

(2) Appointment. The Director shall be nominated by the County - Municipal Civil Defense Committee. He shall be appointed and employed by the County Board.

(3) The County - Municipal Civil Defense Director shall be considered to be an employee of Douglas County and he shall be entitled to all of the rights, privileges and benefits that county employees have.

Section 4. DUTIES OF THE COUNTY - MUNICIPAL CIVIL DEFENSE DIRECTOR.

(1) The Director, in assuming the functions of the County Civil Defense Director, subject to the control and direction of the County - Municipal Civil Defense Committee and under the general supervision of the County Board, shall:

(a) Develop and promulgate civil defense plans for the County, consistent with the State Plan of Civil Defense.

(b) Co-ordinate and assist in the development of municipal civil defense plans within the county, and integrate such plans with the county plan;

(c) Direct the county civil defense program;

(d) Direct county-wide civil defense programs and exercises;

(e) Advise the state director of all civil defense planning for the county and render such reports as may be required by the State Director;

(f) In case of a state of emergency proclaimed by the governor, Direct the county civil defense activities and co-ordinate the municipal civil defense activities within the county, subject to the co-ordinating authority of the state director; and

(g) Perform such other duties relating to civil defense as may be required by the county board.

(2) The Director, in assuming the functions of a municipal Civil Defense Director, subject to the control and direction of the County Board, shall direct the municipal civil defense organization and co-ordinate it with the County-Municipal Civil Defense Organization and plan.

Section 5. COSTS. The County Board shall provide the funds for operating the County-Municipal Civil Defense Program and shall include the cost thereof in the general County tax levy.

Section 6. OTHER EMERGENCIES. In the event the Governor, the Chairman of the County Board, or the County-Municipal Civil Defense Director determines that an emergency exists growing out of natural or manmade disasters, then the County-Municipal Civil Defense Organization shall cope with the problems of emergency within Douglas County. Expenditures for such services rendered in participating municipalities shall be considered county expenditures.

Section 7. PENALTIES.

It shall be unlawful for any person willfully to obstruct, hinder or delay any member of the civil defense organization in the enforcement of any order, rule, regulation, or plan issued pursuant to this ordinance, or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this ordinance. For a violation of any of the provisions of this ordinance he shall forfeit not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars, and in default of payment thereof, shall be imprisoned in the county jail for a period not exceeding 90 days.

Section 8. REPEAL OF PRIOR ORDINANCES AND RESOLUTIONS.

Any ordinances or resolutions therinbefore adopted by the Town Board inconsistent with the provisions of this ordinance are hereby repealed.

Section 9. This ordinance shall take effect and be in force from and after its passage and publication.

Section 10. This ordinance shall upon ratification and acceptance by any municipality in Douglas County, constitute a mutual agreement between such participating municipality, Douglas County, and each participating municipality under Section 66.30 of the Wisconsin Statutes to provide a County - Municipal program for Civil Defense.

Section 11.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, it is the intent of the Town Board that such decision shall not effect the remaining portions of this ordinance. The **SUPERIOR** Town Board hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared unconstitutional or invalid.

Section 12. This ordinance shall take effect and be in force from and after its passage and publication.

Passed and Adopted this 12th day of November, 1962.

Approved this 12th day of November, 1962.

W J Kerwin
Chairman

ATTEST:

Dolores Downey
Clerk