

**BOARD OF SUPERVISORS  
WAYNE COUNTY**

**RESOLUTION NO. 460-00: ADOPTING LOCAL LAW ESTABLISHING THE CONTINUITY OF COUNTY GOVERNMENT IN THE EVENT OF A DISASTER**

Mr. DeSanto presented the following:

WHEREAS, a proposed local law in relation to establishing the continuity of county government in the event of a disaster was presented to the Board of Supervisors on May 16, 2000; and

WHEREAS, a public hearing on the proposed local law was held by the Board of Supervisors on June 20, 2000, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it RESOLVED, that said local law is hereby adopted to read as follows:

**LOCAL LAW NO. 2-2000  
COUNTY OF WAYNE - STATE OF NEW YORK**

A local law establishing the continuity of county government in the event of a disaster.

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE**, as follows:

WHEREAS, Section 20(2)(a) of the Executive Law defines a disaster as follows: "...occurrence or imminent threat of wide spread or serve damage, injury, or loss of life or property resulting from any natural or man-made causes, including, but not limited to, fire, flood, earthquake, hurricane, tornado, high water, landslide, mudslide, wind, storm, wave action, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, radiological accident, water contamination, bridge failure or bridge collapse"; and

WHEREAS, Section 27 of the said law authorizes County Government to provide for the continuity of County Government in the event of a disaster and that is the purpose of the following:

Section 1. Designation of Duties during Emergency or Disaster:

Pursuant to Article 2-B of the Executive Law of the State of New York, in the event of a natural or man-made disaster, as defined in section 20 of the New York Executive Law, within the County of Wayne, the following directives shall apply to the conduct and duties of the Wayne County offices and agencies.

A. All County officers and Agencies of the County of Wayne shall continue regular County government operations to the extent permitted by natural or man-made disaster emergency conditions, shall implement all provisions of disaster preparedness and emergency response plans as authorized by the Chairman of the County Board of Supervisors (hereafter may be referred to as "the Chairman"), and if necessary, will follow lines of succession established by this Local Law for continuity of government.

B. All County Officers listed in paragraph E and all others, who are so directed by the Chairman shall report to the County Emergency Management Office or such alternate site indicated to direct their Agency operations from there.

C. All County Officers and agencies are hereby designated as Disaster Preparedness Forces pursuant to Article 2B of the Executive Law and Civil Defense Forces of Wayne County pursuant to the State Defense Emergency Act.

D. The Chairman of the Board of Supervisors:

1. Shall be responsible for the conduct of natural or man-made operations.

2. May declare a state of emergency in all or part of the County and issue such executive orders to expedite the response to the emergency that exists or is imminent pursuant to Article 2-B, section 24 of the State Executive Law.

3. Shall utilize, when necessary, County Emergency Management/Civil Defense forces as provided in Article 2-B of the Executive Law, and any New York State Defense Emergency statues.

4. Shall when necessary, procure assistance from the State and Federal Government and other political subdivisions.

5. Shall submit to the New York State Emergency Management Office and Disaster Preparedness Commission all such reports as are required as a basis for obtaining State and/or Federal financial assistance.

E. The following officers and agencies of Wayne County shall direct the coordinate performance of their emergency functions in the event of a natural or man-made disaster.

1. County Attorney: Renders advice and legal opinion to the Chairman with regard to continuity of

government, and interpretation, application and implementation of the New York State and United States Government laws, rules and regulations, as well as orders of the State Disaster Preparedness Commission, and executive orders.

2. Director of Emergency Management: Maintains and activates the Emergency Operations Center, coordinates the activities of governmental, private, and volunteer agencies associated with preparation for, response to, mitigation of, and recovery from a disaster within the County.

3. Sheriff: Maintains law and order including protection of life and property, regulates and controls traffic, directs the injured and sick to medical installations, and those in need of temporary shelter to mass care installations, and provides assistance to handicapped persons by obtaining transportation and directing them to the American Red Cross or other suitable reception and mass care installations. Provides personnel for field monitoring teams to respond to an accident at the Ginna Nuclear Power Plant.

4. District Attorney: Acts as legal advisor to the Sheriff and other law enforcement officials with regard to Criminal Law matters.

5. Highway Superintendent: Maintains highways and bridges under his jurisdiction, oversees clearing of roads from ice, snow, and other debris, coordinates activities with other highway departments and utilities, assists emergency services providers when necessary, assists in assessments and documentation of the disaster impact on the County. Provides personnel for County response to an accident at the Ginna Nuclear Power Plant.

6. Fire Coordinator: Coordinates the containment and extinguishment of fires, obtains aid, utilizes fire emergency rescue and first aid squads and departments for removal of trapped and injured persons from damaged buildings and structures and coordinates the county's fire fighting departments through the County Mutual Aid Plan.

7. EMS Coordinator: Coordinates the provision of resources for triage, treatment and transport of ill and injured victims between service provider(s) and hospital(s). Obtains aid utilizing EMS first response and ambulance service providers.

8. Commissioner of Social Services: Furnishes authorized assistance to those in need in accordance with the provisions of the Social Services Law, and provides staffing at reception centers to register incoming evacuees from a radiological accident at the Ginna Nuclear Power Plant.

9. Director of Public Health: Provides health and medical assistance to the population, including safeguarding the health of people and procuring medical care for sick and injured. Provide decontamination assistance for those evacuees from an accident at the Ginna Nuclear Power Plant.

10. Director of Mental Health: Provides assistance to those requiring mental health services following a disaster situation.

11. Director of Office for the Aging: Assess and minister to the disaster needs for the elderly, provide departmental resources, facilities, and personnel to meet these needs.

12. Superintendent of Buildings and Grounds: Provides building maintenance services necessary to affect disaster response and recovery operations to ensure essential Emergency Operations Center functions including, but not limited to emergency power, ventilation, lights, plumbing and accessibility of the parking lot(s).

13. Director of Planning: Provides assistance in analyzing economic and other disaster impact information required for state and federal assistance. Shall provide code, land use, and research data available to affect disaster operations.

14. County Clerk: Is responsible for the maintenance and availability of essential records, documents and other materials required during the emergency.

15. Clerk of the Board of Supervisors: Assists the Chairman in whatever manner possible.

16. Any other county official(s) or employee(s) deemed necessary by the Chairman shall render whatever aid possible as directed by the Chairman.

F. Each County Officer shall render to the Chairman with regard to his/her agency, a report of natural disaster expenditures, obligations to spend and resources utilized (above normal).

G. To ensure an effective operational capability in the event of a natural or man-made disaster or a national emergency, it is incumbent upon those named in this resolution to prepare themselves and their agencies to fulfill their assigned duties and responsibilities by organizing, planning, recruiting and training to achieve the full integration of existing local resources of manpower, materials, facilities and services into an emergency operation. They shall also maintain a list of employee home addresses and phone numbers to be used for

emergency call-backs to work.

H. In the event of a natural or man-made disaster or national emergency, or preparation therefore, all the officers of the County shall have the authority to assign emergency management functions to members of their staffs and such personnel shall cooperate and extend such services as required of them.

I. Succession of Authority: In the absence of the Chairman or in the event of his/her inability during a period of disaster, the succeeding chain of command during the period of the disaster shall be: Majority Leader, then the Senior Board member (most years of service) then Public Safety Committee Chairman. Such chain of command shall remain in effect unless the Board of Supervisors (or the committee exercising its function) by resolution designates a different chief administrator for purposes of the particular emergency or disaster.

J. The chief elected or appointed officers of the County shall provide for continuity of government by establishing a chain of command. To insure prompt notification to administrative officials, the County Emergency Management Office should be advised of each departmental line of succession. Whenever possible, the line of succession should extend to four levels of management including home addresses and home phone numbers, and phone numbers of pagers and cell phones if available and/or used by the person.

K. If, as a result of a disaster, the County Board of Supervisors is unable to discharge its powers and duties, and the Chairman or his/her appropriate successor pursuant to this Local Law files a sworn certificate with the County Clerk and the Clerk of the Board of Supervisors to that effect, then the following officers shall act as the government body in its place: Emergency Management Director, County Administrator, Wayne County Sheriff.

The Chairman may designate substitutes if above mentioned person or persons are not available by sworn certificate filed with the County Clerk and Clerk of the Board of Supervisors. Persons other than county supervisors may be designated as substitutes only after it is determined that there are no county supervisors available. The emergency governing body shall have all the power and duties of the Board of Supervisors and may appoint replacements for County Officers not available to act in their disability or absence.

L. Effective Date: This local law shall be part of the Disaster Preparedness Plan for Wayne County and shall be effective upon completion of filing procedures required by Law.

and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to number the local law in conformance with the filing requirements of the Secretary of State and to file the local law with the Secretary of State in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

Mr. Eddy moved the adoption of the resolution. Seconded by Mr. Spickerman. Upon roll call, adopted.

Clerk of the Board of Supervisors,  
County of Wayne

I, hereby certify that I have compared the foregoing copy of a resolution with the original duly adopted by the above mentioned Board at a session held on the 20th day of June 2000 and that the same is a true copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the said Board, this 21st day of June 2000.

\_\_\_\_\_ Clerk