

**TITLE II  
HEALTH, SAFETY & WELFARE  
CIVIL EMERGENCY PREPAREDNESS**

**Chapter 7    Civil Emergency Preparedness**

**701            Short Title**

This ordinance shall be known and may be cited and referred to as the "Civil Emergency Preparedness Ordinance of the Town of Ogunquit". Authorized under Title 37-B M.R.S.A Section 781-834 as enacted by P.L. 1983, c.460.

**702            Intent and Purpose**

- A.     It is the intent and purpose of this Ordinance to establish an office that will insure the complete and efficient utilization of all of the Town's facilities to combat disaster as defined herein.
- B.     The Ogunquit Office of Civil Emergency Preparedness will be the coordinating agency for all activity in connection with Civil Emergency Preparedness.

**703            Definitions**

- A.     The following definitions shall apply in the interpretation of this ordinance.
- B.     Civil Emergency Preparedness: means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to minimize and repair injury and damage resulting from disasters or catastrophes caused by enemy attacks, sabotage, riots or other hostile action, or by fire, flood, earthquake or other natural or man-made causes. These functions include, engineering, air raid warning and communications services; radiological, chemical and other special weapons defense; evacuation of persons from stricken areas; economic stabilization; allocation of critical materials in short supply; emergency transportation; existing or properly assigned functions of plant protection; other activities related to civilian protection and other activities necessary to the preparation for the carrying out of these functions.
- C.     Disaster: means the occurrence of imminent 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, wave action, oil spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, drought, critical material shortage, infestation, explosion, riot or hostile military or paramilitary action.

- a.) Civil Emergency Preparedness Forces: shall mean the employees, equipment and facilities of all Town departments, boards, institutions and commissions; and, in addition, it shall include all volunteer personnel, equipment and facilities contributed by, or obtained from, volunteer persons or agencies.
- b.) Civil Emergency Preparedness Volunteer: shall mean any person duly registered, identified and appointed by the Director of the Office of Civil Emergency Preparedness activity.
- c.) Director: shall mean the Director of the Ogunquit Office of Civil Emergency Preparedness, appointed as prescribed in the Ordinance.
- d.) Local: restricted to the geographic boundaries of Ogunquit or Ogunquit and the municipalities adjacent to it.
- e.) Regulations: shall include plans, programs and other emergency procedures deemed essential to Civil Emergency Preparedness.
- f.) Town Manager: shall mean duly appointed person to the position of Town Manager by the Board of Selectmen or designated person selected by the Board of Selectmen in the Town Manager's absence.

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**Organizations and Appointments**

- A. An Office of Civil Emergency preparedness is hereby established within the executive department of the Town government and under the direction of the Town Manager.
  - a.) Organization: The Town Manager is hereby authorized to organize the Office of Civil Emergency Preparedness utilizing to the fullest extent possible the existing agencies within the Town.

B. Administration and Operation

- a.) There shall be an executive head of the office of Civil Emergency preparedness who shall be known as the Civil Emergency Preparedness Director. The Director shall be appointed by the Board of Selectmen and work under the direction of the Town Manager.
- b.) In addition to the Director, the office shall include such other assistants, employees and CEP volunteers as are deemed necessary for the proper functioning of the organization. Any necessary employee shall be hired by the Director with the consent of the Town Manager.
- c.) The Office of Civil Emergency preparedness shall operate according to this ordinance and regulations which shall be approved by the Ogunquit Selectmen and which may be amended from time-to-time by the Selectmen. No regulation or amendment shall be approved or adopted by the Selectmen during a declared emergency.

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**Emergency Proclamation**

Whenever a local disaster exists or appears imminent, the Town Manager, or his designee, by majority approval of the Board of Selectmen, shall, by proclamation, declare that fact and that an emergency exists in the municipality. A copy of the proclamation shall be posted in the same manner as the warrant calling a town meeting or a copy of the proclamation shall be filed with the Clerk. Local representatives of the media shall be contacted and informed about the proclamation as soon as possible.

A. Emergency Powers and Duties

During any period when a local disaster has been proclaimed a disaster pursuant to MRSA Title 37-B, Section 742, the Town Manager may promulgate such regulations, as he or she deems necessary to protect life and property and preserve critical resources. Such regulations may include, but not be limited to, the following:

- a.) Regulations prohibiting or restricting the movement of vehicles in order to facilitate the work of Civil Emergency Preparedness forces or to facilitate the mass movement of persons from critical areas within or outside the Town.

- b.) Regulations pertaining to the movement of persons from areas deemed hazardous or vulnerable to disaster.
  - c.) Such other regulations necessary to preserve public peace, health and safety.
- B. The Town Manager may obtain vital supplies, equipment and other properties found lacking and needed for the protection of health, life and property of the people, and bind the Town for the fair value thereof.
- C. The Town Manager may require emergency services of any Town officer or employees. If regular Town forces are determined inadequate, the Director may require the services of such other personnel as he or she can obtain that are available, including citizen volunteers. All duly authorized persons rendering emergency services shall be entitled to the privileges and immunities provided by state law and Ordinances for regular Town employees and other registered and identified Civil Emergency Preparedness and disaster workers.

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**Termination of Emergency**

Whenever the Town Manager is satisfied that a local emergency or disaster no longer exists, he or she shall terminate the emergency proclamation by another proclamation. That proclamation shall be published in local newspapers and posted in the same manner as the warrant calling a town meeting. Local representatives of the media shall be informed of the termination of the emergency as soon as possible.

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**Duties of the Director of the Office of Civil Preparedness**

- A. The Director of the Office of Civil Emergency Preparedness shall be responsible to the Town Manager in regards to all phases of the Civil Emergency Preparedness activity. Under the supervision of the Manager, he or she shall be responsible for the planning, coordination and operation of the Civil Emergency Preparedness activity in the Town. Under supervision of the Manager, he or she shall maintain liaison with the County, State and Federal authorities and the authorities of other nearby political subdivisions as to insure the most effective operation of the Civil Emergency Preparedness plan. His or her duties shall include, but not be limited to the following:

- a.) Coordinating the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the Town for Civil Emergency Preparedness purposes.
- b.) Development of plans for the immediate use of all the facilities, equipment, manpower and other resources of the Town for the purpose of minimizing or preventing damage to persons and property; and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety, and welfare.
- c.) Negotiating and concluding agreements with owners or persons in control of buildings or other property for the Civil Emergency Preparedness purposes and designating suitable buildings as public shelters.
- d.) Through public informational programs, educating the civilian population as to actions necessary and required for the protection of their persons and property in case of enemy attack, or disaster, as defined herein, either impending or present.
- e.) Conducting public practice alerts to insure the efficient operation of the Civil Emergency Preparedness forces and to familiarize residents with Civil Emergency Preparedness regulations, procedures and operations.
- f.) Coordinating the activity of all other public and private agencies engaged in any Civil Emergency Preparedness activity.
- g.) Assuming such authority and conducting such activity as the Town Manager may direct to promote and execute the Civil Emergency Preparedness plan.

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**Civil Emergency Preparedness and Disaster Plan**

A comprehensive Civil Emergency Preparedness Emergency Operations Plan shall be adopted and maintained by resolution of the Selectmen upon recommendation by the Town Manager.

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**Violation of Regulations**

It shall be unlawful for any person to violate any of the provisions of this Ordinance or of the regulations or plans issued pursuant to the authority contained herein, or to willfully obstruct hinder or delay any member of

the Civil Emergency Preparedness organization as herein defined in the enforcement or the provisions of this Ordinance or any regulations or plan issued there under.

**710**            **Penalty**

Any person, firm or corporation violating any provision of this Ordinance, or any rule or regulation promulgated there under, upon conviction thereof, shall be punished by a fine of a minimum of \$100.00 to a maximum of \$1,000.00 per occurrence.

**711**            **Severability**

Should any provision of this Ordinance be declared invalid for any reason, such declaration shall not affect the validity of other provisions, or of this Ordinance, as a whole, it being the legislative intent that the provisions of this Ordinance shall be severable and remain valid notwithstanding such declaration.

**712**            **Conflicting Ordinances, Orders, Rules and Regulations Suspended**

At all times when the orders, rules and regulations made and promulgated pursuant to this Article shall be effect, they shall supersede all existing ordinances, orders, rules and regulations insofar as the latter may be inconsistent therewith.

**713**            **Effective Date**

This Ordinance, upon its adoption by the Town of Ogunquit, shall become effective immediately (Adopted by vote of the Town of Ogunquit on June 16, 1998 - Article 4 of the Warrant).