

# *Town of Troy*

Post Office Box 286  
East Troy, Wisconsin 53120

## Chapter 9 Ordinance 2001-5

### An Ordinance Establishing Procedures for Declaration of a State of Emergency

#### Section I. Chain of Authority and Time Limits.

The Town of Troy Chairman, or in his or her absence, the Town of Troy Supervisor Number 1, shall be granted the power to grant a State of Emergency for up to 72 hours without a majority vote of the Town Board. All members of the Town of Troy government shall be notified, as the Walworth County Sheriff, the town's insurance companies, and the Walworth County Emergency Government Director. The Town of Troy Board, by majority vote, may extend the state of emergency up to sixty (60) days. The Town of Troy Board may continue to extend the State of emergency for additional 30-day periods up to the time the emergency no longer exists. The Town of Troy Chairman shall be the emergency government official who is in charge.

#### Section II. Termination.

If the emergency ceases to exist during the first 72 hours, the Town of Troy Chairman may terminate the declaration after the first 72 hours. After the first 72 hours, the Town of Troy Board may terminate the declaration of a State of Emergency by a majority vote.

#### Section III. Request for State of Emergency.

A request for a declaration of any State of Emergency by the Town Board of the Town of Troy shall be made through the Walworth County office of Emergency Management. The office of Emergency Management shall be deemed responsible for fact gathering regarding the request. The fact gathering shall include, but not be limited to, the reason for the request, the type of event, the duration of the event, the financial impact on the affected community, the potential effect to the county as a whole, the potential for additional services, supplies, manpower or equipment needed to maintain and handle the event, and the estimated duration of the event and its recovery time.

#### Section IV. Liaison Office.

The office of Emergency Management shall serve as the liaison office for all possible federal or state funds, grants or equipment available to the county or the affected community.

#### Section V. Record Management.

All Town of Troy State of Emergency declarations shall be placed of file with the Town of Troy Clerk's office, and the office of Emergency Management.

#### Section VI. Request for assistance.

The declaration of State of Emergency to the Governor of the State of Wisconsin shall include specific requests for funding, equipment, materials, manpower or other such or personnel deemed by the Town of Troy necessary to assist in the emergency and its recovery. The office of Emergency Management shall serve as the liaison office with all federal, State, local and volunteer agencies in the response and recovery.

#### Section VII. Protective Order.

Once declared, a declaration announcing the State of Emergency, shall be signed. The signage of said document shall allow the Town of Troy Chairman or his designee, by executive order to suspend required permits, price controls, or other restrictions pursuant to the authority granted under sections 66.325(1), 59.03(2), 59.03(1) and 59.04 of the Wisconsin State Statues. This includes requirements that any public work estimated to cost over \$20,000 has to be left by contract to the lowest bidder, per section 59.52(29) of the Wisconsin State Statues. Whenever the Town of Troy Board, by majority at a regular or special meeting, determines that an emergency no longer exists, this subsection no longer applies.

#### Section VIII. Use of Private Property.

During a State of Emergency, the Town of Troy Chairman, or his/her successor, may declare priority of emergency government contracts over other contracts, allocate materials, facilities and or property or services at his or her discretion and take, use and destroy private property for emergency government purposes. Such taking, destruction or usage shall be in the name of Walworth County. Unless the Governor of the State of Wisconsin declares an emergency, then such action shall be in the name of the governor and/or for the State of Wisconsin.

#### Section IX. Claims.

Any and all claims shall be referred to the Town of Troy Board or to the State of Wisconsin as provided in the State Statues.

#### Section X. Emergency Orders.

The Town of Troy Chairman and/or his/her designee during such declared emergency shall issue orders as necessary for the security of persons and/or property and for the health and safety of person(s).

#### Section XI. Equipment and Services.

During a State of Emergency, the Town of Troy Chairman or his/her designee may contact on behalf of the Town of Troy with any person to provide equipment, services or manpower on a cost basis to be used in disaster relief under cost guidelines utilized by the Office of Emergency Management.

**Section XII. Joint Action Municipalities.**

In the event of a natural or manmade disaster, the Town of Troy Emergency Management Coordinator will activate and direct the Emergency Management services at the appropriate level of government affected by the emergency and will coordinate the municipalities affected and render such assistance as required and available from the town, county, state and Federal resources.

**Section XIII. Penalties.**

It shall be unlawful for any person willfully to obstruct, hinder or delay any member of the emergency management organization in the enforcement of any order, rule, regulation or plan issued pursuant to the authority contained in this ordinance. Whoever intentionally fails to comply with the directive of Emergency Management authorities promulgated under this section or Chapter 166 of the Wisconsin State Statutes, during a state of emergency or during any training program or exercise shall, upon conviction, be subject to a forfeiture of not more than \$1000. In default of the payment of such forfeiture, a term of imprisonment not to exceed six (6) months may be imposed. Each act of violation and each day upon which any such violation shall occur, shall constitute a separate offense. The penalty provided by this section shall apply to any amendment of this ordinance, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the Town of Troy may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

**Adopted this 13th day of June, 2001.**

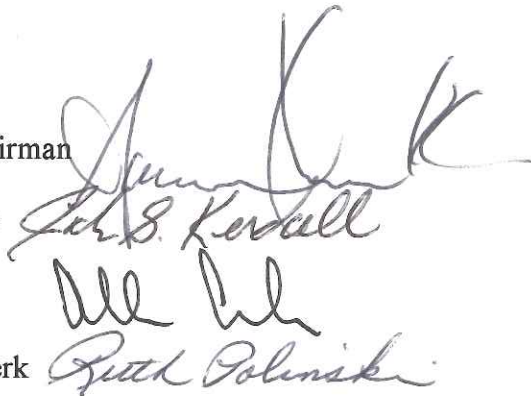
**Town Board of the  
Town of Troy**

Samuel L. Murdock, Chairman

John Kendall, Supervisor

Allen Curler, Supervisor

Attest: Ruth Polinski, Clerk



Samuel L. Murdock  
John S. Kendall  
Allen Curler  
Ruth Polinski