

**FRANKLIN COUNTY, ILLINOIS**  
**EMERGENCY MANAGEMENT & COMMUNICATIONS ORDINANCE**

Ordinance Number: 2025-01

**Section 1. Establishment, Organization.**

In accordance with the Illinois Emergency Management Agency Act (20 ILCS 3305), the County of Franklin hereby establishes within the county government organization an entity to be known as the Franklin County Office of Emergency Management & Communications (OEMC). The OEMC shall be responsible for the administration and operation of all emergency management programs, county emergency medical services, emergency & non-emergency public safety telecommunications services, and communications system activities in coordination with other political subdivisions, private sector partners, non-governmental organizations, state and federal government.

The purpose of the OEMC shall be the coordination of emergency management and communications functions, which may be necessary for or proper to prevent, mitigate, minimize, repair and alleviate injury, death and damage resulting from any natural, technological or human caused hazards.

The OEMC shall consist of a Director, hereinafter "the Director" and such additional employees both compensated and voluntary as commissioned by the OEMC in accordance with applicable collective bargaining agreements and OEMC policy.

All employees of the OEMC shall serve under the direction and supervision of the Director and Command Staff appointed by the Director and shall perform such duties as may be required of them by the OEMC or by the provisions of this ordinance.

Every person appointed to serve in any capacity in the Franklin County OEMC shall, before entering upon his or her duties, subscribe to an oath of office, which shall be filed with the Director.

**Section 2. Limitations.**

Nothing in this Ordinance shall be construed to:

- A. Interfere with the course or conduct of a labor dispute, except that actions otherwise authorized by this Ordinance or other laws may be taken when necessary to mitigate imminent or existing danger to public health or safety;
- B. Interfere with dissemination of news or comment of public affairs; but any communications facility or organization (including but not limited to radio and television stations, wire services, and newspapers) may be requested to transmit or print public service messages furnishing information or instructions;
- C. Affect the jurisdiction or responsibilities of police forces, fire fighting forces, units of the armed forces of the United States, or of any personnel thereof, when on active duty; but emergency operations plans shall place reliance upon the forces available for performance of functions related to emergency management;

### Section 3. Definitions.

As used in this Ordinance, unless the context clearly indicates otherwise, the following words and terms have the meanings ascribed to them in this Section:

- "Cyber incident" means an event occurring on or conducted through a computer network that actually or imminently jeopardizes the integrity, confidentiality, or availability of computers, information or communications systems or networks, physical or virtual infrastructure controlled by computers or information systems, or information resident thereon that affect, or control infrastructure or communications networks utilized by the public. "Cyber incident" includes a vulnerability in information systems, system security procedures, internal controls, or implementations that could be exploited by a threat source that affect, or control infrastructure or communications networks utilized by the public.
- "Director" means the staff assistant to the County Board Chairman, herein after referred to as the "Chairman", of a political subdivision with the duty of coordinating the emergency management, emergency medical services and communications programs of our political subdivision.
- "'Disaster" means an occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from any natural, technological, or human 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, critical shortages of essential fuels and energy, explosion, riot, hostile military or paramilitary action, public health emergencies, cyber incidents, or acts of domestic terrorism.
- "Emergency Management" means the efforts of the State and the political subdivisions to develop, plan, analyze, conduct, provide, implement and maintain programs for disaster mitigation, preparedness, response and recovery.
- "Emergency Operations Plan" means the written plan of the State and political subdivisions describing the organization, mission, and functions of the government and supporting services for responding to and recovering from disasters and shall include plans that take into account the needs of those individuals with household pets and service animals following a major disaster or emergency.
- "Emergency Services" means the coordination of functions by the State and its political subdivision, 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 any natural or technological causes. These functions include, without limitation, firefighting services, police services, emergency aviation services, medical and health services, HAZMAT and technical rescue teams, rescue, engineering, warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken or threatened 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 or property.

- "Exercise" means a planned event realistically simulating a disaster, conducted for the purpose of evaluating the political subdivision's coordinated emergency management capabilities, including, but not limited to, testing the emergency operations plan.
- "HAZMAT team" means a career or volunteer mobile support team that has been authorized by a unit of local government to respond to hazardous materials emergencies and that is primarily designed for emergency response to chemical or biological terrorism, radiological emergencies, hazardous material spills, releases, or fires, or other contamination events.
- "Illinois Emergency Management Agency" means the agency established within the executive branch of State Government responsible for coordination of the overall emergency management program of the State and with private organizations, political subdivisions, and the federal government. Illinois Emergency Management Agency also means the State Emergency Response Commission responsible for the implementation of Title III of the Superfund Amendments and Reauthorization Act of 1986.
- "Mobile Support Team" means a group of individuals designated as a team by the Governor or Director to train prior to and to be dispatched, if the Governor or the Director so determines, to aid and reinforce the State and political subdivision emergency management efforts in response to a disaster.
- "Municipality" means any city, village, and incorporated town.
- "Political Subdivision" means any county, city, village, or incorporated town or township if the township is in a county having a population of more than 2,000,000.
- "Principal Executive Officer" means chair of the county board, supervisor of a township if the township is in a county having a population of more than 2,000,000, mayor of a city or incorporated town, president of a village, or in their absence or disability, the interim successor as established under Section 7 of the Emergency Interim Executive Succession Act.

#### **Section 4. Functions; Statutory Responsibilities, Authorities.**

The OEMC shall perform such emergency management & communications functions within Franklin County as prescribed in this ordinance, and in addition, shall conduct such strategic and operational functions outside of the jurisdictional limits as may be requested under mutual aid agreements and compacts as are entered.

The specific functions that OEMC shall perform include, but are not limited to, the following:

- Developing emergency plans and standard operating procedures which outline emergency management responsibilities of county government, as well as activities which ensure coordination among and between local, county, state, and federal governments. This includes various County emergency action plans for facility use and continuity of operations and continuity of government plans.
- Developing and conducting emergency management training and education programs for county and municipal employees, public and private partners, as well as the general public.

- Coordinating with public and private relief agencies in the development of capabilities to ensure the provision of relief supplies and assistance to disaster victims as well as emergency management responders and their families.
- Developing, conducting, and evaluating training, drills and exercises, designed to test the ability of local and county governments to respond to emergencies and disasters.
- Receiving and analyzing information regarding potential hazards, regardless of their nature, and disseminating appropriate warning information to county officials and municipalities with the county, and as appropriate, the public.
- Supporting the National Incident Management System (NIMS), in preparation for, and throughout the response and recovery phases of an emergency, disaster, public health emergency or significant event, through the activation of Franklin County's Emergency Operations Center, Emergency Operations Plan, and deployment of appropriate resources.
- Develop and issue media releases in preparation for, or during periods of impending or actual disaster or another emergency situation.
- Providing special operations services at the site of emergency or disaster such as ground search & rescue, underwater dive, mass casualty resources, unmanned air systems, or other special operations resources as commissioned by the Director.
- Enhancing the capability of county and local government to respond to emergencies, public health emergencies or disaster situations by coordinating the logistics of needed resources.
- In cooperation with the Franklin County Joint Emergency Telephone Systems Board, manage and administrate the jurisdiction's emergency communications systems. Maintain capabilities and systems within Franklin County Emergency Operations Center, Mobile Operations Center, and Rapid Response Command and Communications vehicles capable of communicating with county and municipal officials, state and federal agencies. Utilizing these systems and others as appropriate to manage communications resources during an emergency or disaster.
- Assisting any county department, as requested, with services within the scope of the emergency management program.
- Managing Franklin County's Citizens Corps program and assisting in the coordination of Franklin County's Local Emergency Planning Committee.
- Oversee and manage Franklin County's interests as it relates to emergency medical services (EMS). (Refer to Section 11.)

## **Section 5. Municipal Emergency Management Efforts.**

Franklin County OEMC shall not have jurisdiction within a political subdivision that has its own certified and/or accredited emergency management agency but shall cooperate with the agency of a city, village or incorporated town within their borders providing that the municipal agency is compliant and certified within the requirements of the Illinois Emergency Management Act.

Franklin County OEMC shall ensure that all recognized offices, departments or agencies providing emergency management services seeking certification are compliant with the IEMA act, and established certification standards set forth by the OEMC.

## **Section 6. Agreements, Contracts, Fees for Services, Reserve Funds.**

Franklin County OEMC shall have the authority to sign agreements, contracts and assess fees to entities, municipalities, insurance providers, and other organizations to provide emergency management and communications related services. This includes all services and activities provided including special operations, public mass notification and warning, and telecommunications.

Franklin County OEMC may enter contracts and incur obligations necessary to place the county in a position effectively to combat such emergencies and disasters to protect the health and safety of persons and to protect property, and to provide emergency assistance to victims of those disasters. If such an emergency or disaster occurs, Franklin County OEMC may exercise the powers vested under this Section in the light of the exigencies of the disaster and, excepting mandatory constitutional requirements, without regard to the procedures and formalities normally prescribed by law pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, and the appropriation, expenditure and disposition of public funds and property.

The OEMC is authorized to establish and transfer revenue generated from fees, contracts and agreements into the appropriate funds, within the county treasury, to serve the operational needs of the OEMC. This includes but is not limited to reserve funds for capital improvements, operations, equipment and facilities.

## **Section 7. Emergency Operations Plan.**

Franklin County OEMC shall prepare and keep current an emergency operations plan for its geographic boundaries. It shall be submitted to the Illinois Emergency Management Agency – Office of Homeland Security for review in accordance with the Illinois Emergency Management Agency Act.

Franklin County OEMC shall prepare and distribute to all appropriate officials in written form a clear and complete statement of the emergency responsibilities of all local departments and officials and of the disaster chain of command. This function will be addressed in Franklin County's Emergency Operations Plan. All county departments, offices, agencies and appropriate officials will sign off on the plan to ensure understanding of their assigned emergency responsibilities and needed actions during a declared disaster or emergency event.

## **Section 8. Worker Compensation.**

All personnel (compensated & voluntary) of Franklin County OEMC shall be considered regular employees of the Franklin County, Illinois Government for the purposes of benefits under the Workers' Compensation Act or Workers' Occupational Diseases Act.

## **Section 9. Director**

Franklin County OEMC shall have a Director who shall be appointed by the County Board Chairman, with the advice and consent of the County Board, and shall serve until removed by the same.

The Director or his or her designee shall:

- Maintain direct responsibility for the organization, administration, training, and operation of Franklin County OEMC, subject to the direction and control of the County Board Chairman & County Board as provided by statute.
- Respond to and coordinate the management of all large-scale emergency incidents in the jurisdiction, including but not limited to, all incidents of mass casualties, disasters, major hazards to public health and safety, and risks of major loss of property.
- Coordinate Franklin County Government's involvement in the full range of activities within which domestic incident management activities occur, including awareness, prevention, mitigation, preparedness, response, and recovery to emergencies, public health emergencies, disasters, and significant events as defined by the Illinois Emergency Management Agency – Office of Homeland Security, U.S. Department of Homeland Security, Federal Emergency Management Agency and the National Response Framework.
- Perform duties as assigned in the job description for the position of Director of the OEMC.

## **Section 10. OEMC Headquarters, Facilities.**

Franklin County OEMC shall have designated administrative headquarters and operational facilities as authorized by the Franklin County Board.

The OEMC will manage the Franklin County Emergency Operations Center, Emergency Communications Center, and Administrative Headquarters.

Additional facilities may be procured by Franklin County OEMC during a declared disaster to augment disaster response and recovery activities.

## **Section 11. Emergency Medical Services.**

Franklin County OEMC shall oversee and manage Franklin County Government's interests as it relates to emergency medical services (EMS). The Director or his or her designee will oversee and manage Franklin County Government's efforts to provide emergency medical transportation services to the public. The Director will liaison with and oversee all authorized county-level EMS transportation providers to ensure adequate services are being provided in accordance with established operational standards, agreements and requirements for county-level EMS transportation providers. The Director will serve as the contract administrator for all service agreements between the Franklin County Board and authorized providers.

The Director shall have the authority to deploy additional EMS transportation providers through mutual aid agreements and/or temporary requests for assistance should an emergency demand for additional resources exist. The Director may also issue executive orders limiting the amount of EMS resources leaving the County during regional or nationwide emergencies and disasters in order to maintain appropriate levels of coverage within Franklin County. Such orders will only apply to providers under agreement with Franklin County Government.

## **Section 12. Service as Mobile Support Team, Compensation, Reimbursements.**

All sworn personnel of Franklin County OEMC may be designated as members of a Mobile Support Team created by the Director of the IEMA-OHS in accordance with the IEMA Act, mutual aid agreements, or designated statewide, regional or local mutual aid system requests.

The leader of such Mobile Support Team shall be designated by the Director of the OEMC.

Any member of a Mobile Support Team, who is a county employee or officer while serving on call to duty by the Governor, or the Director of IEMA-OHS, or the Director of the OEMC, shall receive the compensation and have the powers, duties, rights, and immunities incident to such employment or office. Any such member who is not a paid officer or employee of the County, while serving, shall receive from the State reasonable compensation as provided by law. Personnel who are paid employees or officers of the County, if called for training by the IEMA-OHS Director, shall receive for the time spent in such training the same rate of pay as is attached to the position held; members who are not paid employees may receive for such training such compensation as may be established by the County Board.

The Franklin County Board may from time to time establish temporary hazard pay compensation rates for OEMC personnel in response to emergencies. This will be done at the discretion of the Franklin County Board.

## **Section 13. Disaster Declarations, State of Emergency**

A local disaster may be declared only by the Chief Elected Official of a jurisdiction, or his or her interim emergency successor. It shall not be continued or renewed for a period in excess of seven (7) days except by or with the consent of the governing board of the jurisdiction. 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 Franklin County Clerk.

The effect of a county-wide declaration of a local disaster is to activate the Franklin County Emergency Operations Plan and to authorize the furnishing of aid and assistance thereunder. The declaration will also enact any emergency powers given to local officials contained in this ordinance. All county departments and partner organizations with responsibilities listed in Franklin County Emergency Operations Plan will coordinate within the Franklin County Emergency Operations Center to bring said emergency or disaster situation to a rapid conclusion.

A state of emergency may be declared by the Director, or the Franklin County Sheriff should a situation develop that temporarily threatens the safety of the public but has yet to rise to the level of a declared disaster. During a state of emergency, the Director and Sheriff will exercise their day-to-day authority, absent from the emergency powers of this ordinance, to bring the situation to a rapid conclusion.

#### **Section 14. Emergency Powers.**

In the event of a declared disaster, as defined in Section 13, the Chief Elected Official may, upon such proclamation, have and may exercise or confer the following emergency powers for a period not to exceed 30 days:

- To suspend the provisions of any regulatory ordinance prescribing procedures for conduct of county business, or the orders, rules and regulations of any county agency, if strict compliance with the provisions of any ordinance, order, rule, or regulation would in any way prevent, hinder or delay necessary action, including emergency purchases, by the Franklin County OEMC, in coping with the disaster.
- To utilize all available resources of the County government as reasonably necessary to cope with the disaster and of each political subdivision of the County.
- To transfer the direction, personnel or functions of County departments and agencies or units thereof for the purpose of performing or facilitating disaster response and recovery programs.
- To control ingress and egress to and from a disaster area, the movement of persons within the area, and the occupancy of premises therein.
- To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles.
- A declaration of a disaster shall activate the Franklin County Emergency Operations Plan, and political subdivision emergency operations plans applicable to the political subdivision or area in question and be authority for the deployment and use of any forces that the plan or plans apply and for use or distribution of any supplies, equipment, and materials and facilities assembled, stockpiled or arranged to be made available under this ordinance or any other provision of law relating to disasters.
- Control, restrict, and regulate by rationing, freezing, use of quotas, prohibitions on shipments, price fixing, allocation or other means, the use, sale or distribution of food, feed, fuel, clothing and other commodities, materials, goods, or services; and perform and exercise any other functions, powers, and duties as may be necessary to promote and secure the safety and protection of the civilian population.



- Prohibit increases in the prices of goods and services during a disaster.

Emergency powers may be extended for periods of thirty (30) days each by majority consent of the County Board.

#### **Section 15. Testing of Emergency Warning Systems.**

Franklin County OEMC shall test emergency warning devices including outdoor warning sirens on the first Tuesday of each month at 10 o'clock in the morning.

Franklin County OEMC may also test disaster-warning devices including outdoor warning sirens during disaster training exercises or while performing maintenance on such systems.

The public shall be advised of such tests.

#### **Section 16. Mutual Aid Between Political Subdivisions.**

The Director, in collaboration with other public agencies within his immediate vicinity, develop or cause to be developed mutual aid arrangements with other political subdivisions for reciprocal disaster response and recovery assistance in case a disaster is too great to be dealt with unassisted. Such arrangements shall be consistent with the Franklin County Emergency Operations Plan and the National Incident Management System, and in the event of such a disaster as described in Section 1-13 of this ordinance, it shall be the duty of the OEMC to render assistance in accordance with the provisions of such mutual aid arrangements.

The Director may, subject to the approval of the Director of the Illinois Emergency Management Agency – Office of Homeland Security, assist in the negotiation of mutual aid agreements between this and other states, regions and entities.

#### **Section 17. Immunity.**

Franklin County Government except in cases of negligence or willful misconduct, and its agents, employees, or representatives engaged in any emergency management response or recovery activities, while complying with or attempting to comply with this ordinance, the IEMA Act or any rule or regulations promulgated pursuant to the IEMA Act is not liable for the death of or any injury to persons, or damage to property, as a result of such activity. This section does not, however, affect the right of any person to receive benefits to which he would otherwise be entitled under this Act under the Workers' Compensation Act or the Workers' Occupational Diseases Act, or under any pension law, and this section does not affect the right of any such person to receive any benefits or compensation under any Act of Congress.

#### **Section 18. Authority to Accept Services, Gifts, Grants or Loans.**

Whenever the federal government or any agency or officer thereof or whenever any person, firm or corporation offers to the County, services, equipment, supplies, materials, or funds by the way of gift or grant for purposes of emergency management and/or official government use, the Franklin County OEMC may accept such offer services, equipment, supplies, materials or funds on behalf of Franklin County Government.

Franklin County OEMC shall have the authority to establish a special fund if needed through the Office of the County Treasurer to accept such gifts, grants or loans. The establishment of such a special fund shall be in accordance with all county ordinances relating to this subject and the laws of the State of Illinois. All services, gifts, grants or loans accepted pursuant to the Section shall be subject to County auditing procedures and shall never be used for personal gain.

#### **Section 19. Orders, Rules and Regulations.**

The Franklin County Board shall have the authority to promulgate orders, rules and regulations upon the advice of the Director for the purpose of emergency management and communications in times of disaster. The OEMC shall execute and enforce such orders, rules and regulations as may be made by the County Board under this ordinance. The OEMC shall have available for inspection at its office all orders, rules and regulations made by the County Board.

#### **Section 20. Utilization of Existing County Facilities, and Personnel.**

Franklin County OEMC acting through the Chief Elected Official may at times be utilize the services, equipment, supplies and facilities of existing departments, offices and agencies within the jurisdiction the maximum extent practicable, and the officers and personnel of all such departments, offices and agencies are directed, upon request, to cooperate with and extend such services and facilities as may be needed to bring disasters and emergency situations to a rapid conclusion.

#### **Section 21. No Private Liability.**

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 or parts of such real estate or premises for the purpose of sheltering persons during an actual or impending disaster, aiding in disaster response, recovery or a disaster training exercise together with his successors in interest, if any, shall not be civilly liable for negligently causing the death of, or injury to, any person on or about such real estate or premises under such license, privilege or other permission, or for negligently causing loss of, or damage to, the property of such person.

Any private person, firm or corporation and employees and agents of such person, firm or corporation in the performance of a contract with, and under the direction of the County under the provisions of the IEMA Act or this ordinance 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.

Any private person, firm or corporation, and any employee or agent of such person, firm or corporation, who renders assistance or advice at the request of the County under the Act during an actual or impending disaster, 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.

#### **Section 22. Prohibition of Political Activity.**

Franklin County OEMC as established by this ordinance shall not be employed directly or indirectly by any person for political purposes. Political activities shall never be permitted on OEMC property or conducted by OEMC staff during the performance of their duties.

**Section 23. Severability.**

If any provision of this Ordinance after its effective date is held invalid, such invalidity shall not affect other provisions, which shall be given effect without the invalid provision, and to this end the provisions of this Ordinance are severable, unless otherwise provided by law.

**Section 24. Ordinance Repealed**

This ordinance shall serve to repeal and replace the Franklin County Emergency Management Ordinance passed on the 21<sup>st</sup> day of June 2011.

**Section 25. Effective Date, Approval.**

This Ordinance shall be in force from and after its passage and approval, as provided by law. PASSED at the regular meeting of the Franklin County Board on the 7<sup>th</sup> day of MARCH, 2025.



Kevin Wilson  
Franklin County Clerk

  
Neil Hargis  
Franklin County Board Chairman

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