

Town of Lumberland
Sullivan County, New York



**COMPREHENSIVE
EMERGENCY
MANAGEMENT PLAN**

2005

Town of Lumberland Comprehensive Emergency Management Plan

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Town of Lumberland Comprehensive Emergency Management Plan

EXECUTIVE SUMMARY

Introduction

This Comprehensive Emergency Management Plan results from recognition by Town, County and State government that a overall plan is needed to improve the Town's ability to manage emergency and disaster situations.

This Plan was prepared by Town officials working as a team, using a planning process recommended by the New York State Emergency Management Office (SEMO).



This plan constitutes an integral part of a statewide emergency management program. Authority to undertake this effort is provided by both Article 2-B of State Executive Law and New York State Defense Emergency Act.

The development of this plan included an analysis of potential hazards that could affect the Town and an assessment of the capabilities existing within the Town to deal with potential hazards.

Comprehensive Approach

The plan provides general all-hazards management guidance, using existing organizations, to allow the Town to meet its responsibilities before, during and after an emergency.

The purpose of this plan is, through implementation of **Risk Reduction** measures before an emergency occurs, timely and effective **Response** during an emergency, and provision of both short and long term **Recovery** assistance afterward, to save lives and minimize property damage in the Town of Lumberland. This ongoing process is **Comprehensive Emergency Management**.

Management Responsibilities

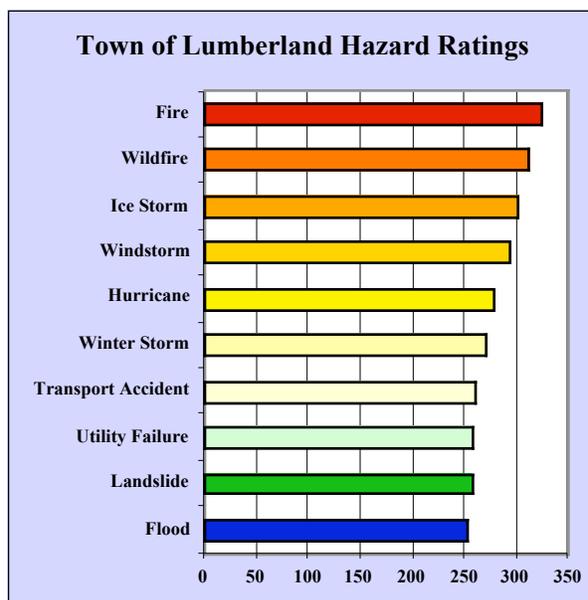
Town emergency management responsibilities are outlined in this plan. Assignments are made within the framework of current Town capabilities and organizational responsibilities.

The Town of Lumberland Supervisor, in the capacity of Emergency Manager, together with an Emergency Management Team, is designated to coordinate all emergency management activities of the Town.

The Town has the responsibility to manage all phases of an emergency. The County has the responsibility to assist the Town in the event that it has fully committed its resources and is still unable to cope with any disaster.

Similarly, New York State is obligated to provide assistance to the County after resources have been fully committed and the County is unable to cope with the disaster.

This Comprehensive Emergency Management Plan describes in detail the centralized direction of requests for assistance and the understanding that the governmental jurisdiction most affected by an emergency is required to fully involve itself in the emergency prior to requesting assistance.



Relevant sections of New York State Law pertaining to emergency management are attached for further guidance on emergency management requirements that apply to the Town of Lumberland as well as Sullivan County.

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SECTION I

GENERAL CONSIDERATIONS AND PLANNING GUIDELINES

A. Comprehensive Emergency Management Policy

1. Town government must provide leadership and direction to prevent, mitigate, respond to and recover from dangers and problems arising from emergencies in the Town of Lumberland.
2. Under Article 2-B of the New York State Executive Law, a town is authorized to develop a Comprehensive Emergency Management Plan to prevent, mitigate, respond to and recover from emergencies and disasters. The Town of Lumberland has developed this Comprehensive Emergency Management Plan to meet this responsibility.
3. This concept of Comprehensive Emergency Management includes three phases:
 - a. **Risk Reduction.** This includes both prevention and mitigation. Prevention refers to those short or long term activities which eliminate or reduce the number of occurrences of disasters. Mitigation refers to all activities which reduce the effects of disasters when they do occur.

Section II of this Plan, Risk Reduction, describes activities to prevent or minimize the impact of hazards in Town of Lumberland.

- b. **Response.** Response operations may start before the emergency materializes, for example, on receipt of advisories that a flood, blizzard, or ice storm is approaching. This increased readiness response phase may include such pre-impact operations as:

- Detecting, monitoring and assessing hazards
- Alerting of endangered populations
- Protective actions for the public
- Allocating and distributing resources

Most response activities follow the immediate impact of an emergency. Generally, they are designed to minimize casualties and protect property to the extent possible through emergency assistance. They seek to reduce the probability of secondary damage and speed recovery operations.

Response operations in the Town of

Lumberland are the responsibility of the Town Board, supported by the Sullivan County emergency operations as appropriate. If the Town is unable to adequately respond, County response operations may be asked to assume a leadership role.

- c. **Recovery.** Recovery activities are those following a disaster to restore the community to its pre-emergency state, correct adverse conditions that may have led to the damage, and protect the quality of life. It includes risk reduction actions to prevent or mitigate a recurrence of the emergency.

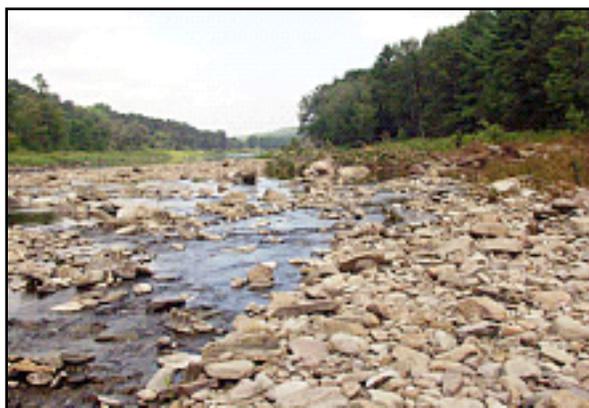


Photo courtesy of *The River Reporter*

B. Purpose and Objectives of the Plan

This Plan sets forth the basic requirements for managing emergencies in the Town of Lumberland. The objectives of the Plan are:

1. To identify, assess and prioritize local and regional vulnerabilities to emergencies or disasters and the resources available to prevent or mitigate, respond to, and recover from them.
2. To outline short, medium and long range measures to improve the Town's capacity to manage hazards.
3. To provide that the Town of Lumberland takes the appropriate actions to prevent or mitigate effects of hazards and is prepared to respond to and recover from them when an emergency or disaster occurs.
4. To provide for the efficient utilization of all available resources during an emergency.

C. Legal Authority

This Plan, in whole or in part, may rely upon the

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following laws for the power necessary for its development and implementation.

1. New York State Executive Law, Article 2-B
2. New York State Defense Emergency Act
3. Federal Disaster Relief and Emergency Assistance Act

D. Concept of Operations

1. The primary responsibility for responding to emergencies rests with the Town of Lumberland Supervisor, supported by the Town Board of the Town of Lumberland. The Town Supervisor has the authority to direct and coordinate disaster operations and may delegate this authority to a local coordinator.
2. When responding to a disaster, the Town of Lumberland will utilize its own facilities, equipment, supplies, personnel and resources first. It will also work with local emergency service organizations.

When Town of Lumberland resources are inadequate, the Supervisor may obtain assistance from other political subdivisions and Sullivan County government.

3. The Sullivan County Emergency Manager will coordinate responses for requests for assistance from the Town of Lumberland and other local governments. The County Emergency Manager has the authority to direct and coordinate County disaster operations.

The Sullivan County Emergency Manager may also obtain assistance from other counties or the New York State Emergency Management when the emergency disaster is beyond the resources of Town of Lumberland and the County.

The Sullivan County Legislature has assigned to the Emergency Management Office the responsibility to coordinate Sullivan County emergency management activities.

4. Direction and control of State risk reduction, response and recovery actions is coordinated by the New York State Emergency Management Office.

A request for assistance to the State will be submitted through the Regional Office of the New York State Emergency Management Office (SEMO)

and presupposes the utilization and expenditure of personnel and resources at the local level.

New York State assistance is supplemental to the Town of Lumberland's and Sullivan County's emergency management efforts.

5. Upon the occurrence of an emergency or disaster clearly beyond the management capability and emergency resources of State and local governments, the Governor may find that federal assistance is required and may request assistance from the President by requesting a declaration of a major disaster or emergency.

E. Plan Maintenance and Updating

1. The Town Board is responsible for maintaining and updating this Plan.
2. All Town departments and agencies are responsible for annual review of their emergency response role and procedures, and provide any changes to the Emergency Management Team by September 1 of each year.
3. The Plan should be reviewed and updated annually with revised pages distributed by January 1 of each year.

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SECTION II

RISK REDUCTION

A. Town Hazard Mitigation Coordinator

The Town of Lumberland Supervisor has been designated by the Town Board as the Town's coordinator for purposes of hazard mitigation coordinator. The Town Supervisor is responsible for coordinating Town efforts in reducing hazards in Town of Lumberland.

All Town departments will participate in risk reduction activities with the Town Supervisor. The Supervisor will be assisted by the Town Board in matters of financing and regulation and by a Town of Lumberland Emergency Management Team hereby created to advise and assist with the identification and analysis of potential hazards, responses to hazard situations and the recovery from such disasters.

B. Identification and Analysis of Potential Hazards

1. The Town of Lumberland Emergency Management Team will be comprised of:
 - a. Town of Lumberland Supervisor
Chairperson
 - b. Town of Lumberland Deputy Supervisor
Vice-Chairperson
 - c. Town of Lumberland Fire Chief
First Assistant
 - d. Town of Lumberland Administrative Constable
Second Assistant
 - e. Town of Lumberland Town Clerk
 - f. Town of Lumberland Code Enforcement Officer
 - g. Town of Lumberland Assessor's Office
Representative
2. The Emergency Management Team will:
 - a. Identify potential hazards in the Town.
 - b. Determine the probable impact each of those hazards could have on people and property.
 - c. Delineate the geographic areas affected by potential hazards, plot them on maps and

designate them as hazard areas.

3. Significant potential hazards to be identified and analyzed include natural, technological and human-caused hazards.

FLOOD

Flooding usually is a natural, cyclic occurrence in existing waterbodies. When a waterbody overflows its normal banks, a destructive waterway can form. A flash flood is a sudden transformation of a small stream into a violent waterway after heavy rain or rapid snowmelt. Flooding is New York's most consistently damaging natural hazard. Since 1955 it has recorded more flood events than any other state in the Northeast.

4. To comply with (2) and (3) above, hazards that pose a potential threat have been identified and analyzed by the Town of Lumberland Emergency Management Team has employed a modified version of the program *HAZNY*, provided by the State Emergency Management Office.

This hazard analysis provides a basic method for analyzing and ranking the identified hazards, including identification of geographic areas and populations at risk to specific hazards. It also establishes planning priorities for those hazards receiving a high ranking.

Such an analysis was conducted in June, 2003 and has been submitted to the Sullivan County Emergency Office. It will be reviewed and updated every three years. The rating and ranking results of the hazard analysis are found as Table 1.

A map identifying the location of hazard areas, is located in the Town of Lumberland Emergency Management Office (Supervisor's Office).

C. Risk Reduction Policies, Programs and Reports

1. Town departments are authorized to promote policies, programs and activities to reduce hazard risks in their area of responsibilities. Examples are:

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- a. Promote compliance with and enforcement of existing laws, regulations, and codes that are related to hazard risks, such as building and fire codes, flood plain regulations, etc.
 - b. Encourage the Town Highway Department to address dangerous conditions on roads used by hazardous materials carriers.
2. The Town of Lumberland Planning Board, together with the Town Board, is responsible for land use management actions throughout the Town, including developing and adopting plans for community development, zoning ordinances, subdivision regulations and building regulations.

Responsibilities also include participation in SEQRA review of proposed projects in the Town. The Town Planning Board will, in all of the above activities, take into account the significant hazards in Town of Lumberland.

3. The Town of Lumberland Emergency Management Team will conduct risk reduction workshops for Town departments.
4. The Town of Lumberland Emergency Management Team will meet at least annually to identify specific hazard reduction actions that could be taken for those hazards determined by the hazard analysis to be most significant.
5. The Emergency Management Team will, as appropriate, assemble the following information for each hazard reduction action identified:
 - a. A description of the action.
 - b. A statement on the technical feasibility of the action.
 - c. The estimated cost of the action, the expected benefits of the action and the estimated monetary value of each benefit.
 - d. The estimate level of community support for the action.

This information will be consolidated into an emergency risk reduction report prioritizing and making recommendations concerning the identified actions. It will be reviewed annually beginning January, 2005.

D. Emergency Response Capability Assessment

1. Periodic assessment of the Town's capability to

manage the emergencies that could be caused by the hazards identified in the County is a critical part of risk reduction.

2. The Town of Lumberland Emergency Management Team will, on an annual basis, assess the Town's current capability for dealing with those significant hazards that have been identified and analyzed, including but not limited to:
 - a. The likely time of onset of the hazard.
 - b. The existence of effective warning systems.
 - c. The Town's means to respond to anticipated casualties and damage.
3. To assist the TOWN of Lumberland Emergency Management Team in its assessment, the Town Supervisor will coordinate exercises based upon specific hazards and hazard areas identified by the Team.

The Town of Lumberland Emergency Management Team will identify emergency response shortfalls and make recommendations for implementing corrective actions to the Town Supervisor.

EARTHQUAKE

A sudden motion of the ground caused by release of subterranean strain energy, due to plate tectonics, resulting in surface faulting, ground shaking, or ground failure. The most seismically active regions lie in the Adirondacks and near Canada, followed by the New York City and Buffalo regions. The greater New York City area can expect one Richter magnitude 5 earthquake about once every 100 years (the last such event was in 1884).

E. Training of Emergency Personnel

1. The Town of Lumberland Supervisor, assisted by the Town of Lumberland Emergency Management Team, has the responsibility to arrange and provide, with the assistance of the County and State

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Emergency Management Offices, the conduct of training programs for Town emergency response personnel.

Training will be encouraged for all Town emergency personnel response personnel, including volunteers. Such training programs will include information on the characteristics of hazards and their consequences and the implementation of emergency response actions including protective measures, notification procedures, and available resources.

Training will be designed to provide emergency personnel with the variety of skills necessary to help reduce or eliminate hazards and increase their effectiveness to respond to and recover from emergencies of all types including crisis situations that requires additional specialized training and refresher training.

2. The Town of Lumberland Supervisor, assisted by the Town of Lumberland Emergency Management Team, will conduct periodic exercises and drills to evaluate local capabilities and preparedness.

This drill program will include a minimum of one major drill every 5 years that tests the operational elements and responsibilities identified in this Emergency Management Plan and additional regular drills to test readiness of warning and communication equipment.

3. Volunteers participating in emergency services such as fire and rescue operations, ambulance services, first aid and other emergency medical services and Red Cross, will be trained by these specific organizations in accordance with their established procedures and standards.

F. Public Education and Awareness

Federal Emergency Management Agency (FEMA) pamphlets, books and kits dealing with all aspects of emergency management and materials developed by New York State Emergency Management Office and other State departments, as appropriate, will be made available for use in the program.

Periodically, informational newsletters regarding emergency management operations will be distributed to Town of Lumberland residents and property owners.

G. Monitoring of Identified Hazard Areas

1. The Town of Lumberland Fire Department will develop, with the assistance of other departments where appropriate, the capability to monitor

identified hazard areas, to detect hazardous situations in their earliest stages.

As a hazard's emergence is detected, this information is to be immediately provided to the Town of Supervisor or the Supervisor's designee and the Town of Lumberland Emergency Management Team, as appropriate.

When appropriate, monitoring stations may be established regarding specific hazard areas where individuals responsible to perform the monitoring tasks can be stationed.

2. Monitoring tasks include detecting the hazard potential and taking measurements or observations of the hazard. Examples of such information include rising water levels, increased toxic exposure levels, slope and ground movement, mass gathering numbers, the formation and breakup of ice jams, dam conditions and data supplied by the National Weather Service's Skywarn program regarding impending weather conditions.

TABLE I - HAZARD ANALYSIS RESULTS

HAZARD ANALYSIS RATINGS						
Town of Lumberland						
Sort HAZARD	Sort SCOPE	Sort FREQUENCY	Sort IMPACT	Sort ONSET	Sort DURATION	Sort TOTAL
Fire	30.00	120.00	70.83	70.00	33.00	323.83
Wildfire	36.67	84.00	70.83	70.00	51.00	312.50
Ice Storm	50.00	84.00	70.83	49.00	48.00	301.83
Windstorm	50.00	84.00	70.83	49.00	39.00	292.83
Hurricane	50.00	84.00	70.83	35.00	39.00	278.83
Winter Storm	50.00	84.00	54.17	49.00	33.00	270.17
Transport Accident	30.00	120.00	29.17	70.00	12.00	261.17
Landslide	30.00	48.00	70.83	70.00	39.00	257.83
Utility Failure	43.33	120.00	12.50	70.00	12.00	257.83
Flood	36.67	48.00	70.83	49.00	48.00	252.50
Dam Failure	30.00	48.00	70.83	70.00	30.00	248.83
Ice Jam	36.67	48.00	70.83	49.00	39.00	243.50
Tornado	36.67	48.00	70.83	49.00	39.00	243.50
Explosion	30.00	48.00	70.83	70.00	24.00	242.83
Earthquake	50.00	12.00	70.83	70.00	33.00	235.83
Hazmat (Transit)	30.00	48.00	37.50	70.00	48.00	233.50
Hazmat (Fixed Site)	23.33	48.00	20.83	70.00	48.00	210.17
Oil Spill	23.33	48.00	12.50	70.00	54.00	207.83
Drought	43.33	84.00	12.50	7.00	60.00	206.83
Civil Unrest	23.33	48.00	37.50	70.00	12.00	190.83
Extreme Temperature	43.33	48.00	12.50	21.00	39.00	163.83
Terrorism	13.33	12.00	37.50	70.00	18.00	150.83
Epidemic	23.33	12.00	20.83	49.00	33.00	138.17
Fuel Shortage	36.67	48.00	12.50	7.00	33.00	137.17
Air Contamination	30.00	12.00	20.83	49.00	18.00	129.83

TABLE 2 - DRILL AND EXERCISE SCHEDULE

TYPE OF DRILL/EXERCISE

SCHEDULING

- | | |
|--|---------------|
| 1 - Major Drills to Test All Systems In Emergency Evacuation Situation | Every 5 Years |
| 2 - Testing of Communication/Warning Systems | Annually |
| 3 - Fire Drills (Rotated among principal community structures) | Annually |
| 4 - Organizational Drills | Annually |

SECTION III

RESPONSE

The Town Supervisor shall also maintain and manage an Emergency Operations Center and facilitate coordination between the Town, County, State and private emergency support organizations.

A. Supervisor Duties, Powers and Succession

1. The Town Supervisor is ultimately responsible for Town emergency response activities. The Supervisor may assume personal oversight of the Town emergency response organization if the scope and magnitude of the emergency indicates the necessity of personal management and direction of the response and recovery operations.

The Supervisor shall, in such instance, control the use of all Town owned facilities and resources for disaster response. The Supervisor may declare a local state of emergency and may promulgate emergency orders and waive local laws, ordinances and regulations.

2. The Town Supervisor may request assistance from the County and the State when it appears that the incident will escalate beyond the capability of Town resources. The Supervisor may also provide assistance to others at the request of other local governments outside Town of Lumberland.
3. In the event of the unavailability of the Town Supervisor, the following line of command and succession has been established by Local Law to ensure continuity of government and the direction of emergency operations:
 - a. The Deputy Town Supervisor will assume the responsibilities of the Town Supervisor until the Town Supervisor is available.
 - b. The Town of Lumberland Fire Chief will assume the responsibility of the Town Supervisor until the Deputy Town Supervisor or the Town Supervisor is available.
 - c. The Town of Lumberland Administrative Constable will assume responsibility of the Town Supervisor until the Fire Chief, Deputy Town Supervisor, or the Town Supervisor is available.
4. The Town Supervisor shall, in the capacity of Emergency Manager, activate the Town Emergency Management Team, initiate Town response activities and brief Town departments, agencies and other organizations involved in an emergency response

STORMS

SEVERE THUNDERSTORM

A thunderstorm that produces tornadoes, hail 0.75 inches or more in diameter, or winds of 50 knots (58 mph) or more.

WINTER STORM (SEVERE)

A storm system that develops in late fall to early spring and deposits wintry precipitation, such as snow (6 inches in 12 hours or less), sleet, or freezing rain, with a large impact on transportation systems and public safety.

ICE STORM

Freezing rain that accumulates in a substantial glaze layer of ice resulting in serious disruptions of normal transportation and possible downed power lines.

B. Emergency Operations Center

1. On-scene emergency response operations will be directed and controlled by the Town Supervisor in the capacity of Emergency Manager. The Town Hall will be the Emergency Operations Center (EOC) unless an on-site location is identified.

Should the Town Hall be unavailable for any reason, the Lumberland Fire House (first option) or the McKenzie Elementary School (second option) shall serve as the operations center. The Emergency Manager is responsible for managing the EOC during emergencies.

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2. Each Town agency or department will routinely identify its personnel assigned to the EOC. This identification is to be provided to the Emergency Manager and updated as changes occur, no less than once annually.
 3. Work areas will be assigned to each agency represented at the EOC and to other members of the Emergency Management Team.
 4. Internal security at the EOC during an emergency will be provided by the Administrative Constable or such other law enforcement personnel as shall be secured by the Town Supervisor.
 5. All persons entering the EOC will be required to check in at the door located at the main entrance. All emergency personnel will be issued a badge (permanent or temporary) to be worn at all times while in the EOC.
- Temporary badges will be returned to the Emergency Manager when departing from the premises.
- a) **Response Level 1:** Only Emergency Management Team shall be notified and activated as appropriate.
 - b) **Response Level 2:** The Emergency Manager, together with the Emergency Management Team, shall be mobilized to assess the magnitude of the emergency, determine whether evacuations are required, report to the Emergency Manager and, if warranted, notify the County Emergency Management Office and requisition shall support as required.
 - c) **Response Level 3:** The Emergency Manager shall mobilize, to full capacity, all available emergency resources of the Town of Lumberland, the County and the State, working in concert with the responsible parties.

See Appendix B for further details.

6. EOC space within the Town Hall shall be maintained in an emergency operating ready mode by the Emergency Manager at all times.
7. The Emergency Manager shall maintain a Standard Operating Guide for activating and managing the EOC. This SOG can be found as Appendix A.

C. Notification and Activation

1. Each emergency shall be classified by the Emergency Manager into one of three Response Levels according to incident scope and magnitude.
 - a) **Response Level 1:** Controlled emergency situation without serious threat to life, health, or property, which requires no assistance beyond initial first responders.
 - b) **Response Level 2:** Limited emergency situation with some threat to life, health, or property, but confined to limited area involving small population.
 - c) **Response Level 3:** Full emergency situation with major threat to life, health, or property, involving large population and/or multiple municipalities.
2. Emergency response personnel will be activated according to the Response Level classification:

D. Assessment and Evaluation

As a result of information provided by the EOC respond team, the Town of Lumberland Emergency Manager will, as appropriate:

1. Develop emergency management policies by evaluating the safety, health, economic, environmental, social, humanitarian and legal implications of a disaster or threat;
2. Analyze the best available data and information on the emergency;
3. Explore alternative actions and consequences;
4. Select and direct specific response actions.

E. Declaration of Local State of Emergency and Promulgation of Local Emergency Orders

1. In response to an emergency, or its likelihood, upon a finding that public safety is imperiled, the Town Supervisor may proclaim a State of Emergency pursuant to Section 24 of the State Executive Law (see Appendix C).
2. Such a proclamation authorizes the Town Supervisor to deal with the emergency situation with the full executive and legislative powers of Town government.
3. This power is realized only through the promulgation of local emergency orders. For example, emergency orders can be issued for actions such as:

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- a. Establishing curfews
- b. Restrictions on travel
- c. Evacuation of facilities and areas
- d. Closing of places of assembly

Appendix B describes the requirements for proclaiming a State of Emergency and promulgating Emergency Orders.

4. Emergency responders have implicit authority and powers to take reasonable immediate action to protect lives and property absent an emergency declaration or emergency orders.

F. Public Warning and Emergency Information

1. In order to implement public protective actions there should be a timely, reliable and effective method to warn and inform the public.
2. Activation and implementation of public warning is the Emergency Manager's responsibility.
3. Information and warnings to the public that a threatening condition is imminent or exists can be accomplished through the use of the following resources.

a) Stationary Fire Sirens

There are two types of stationary warning sirens in use in Town of Lumberland:

Fire Siren - Located at the Lumberland Fire House for alerting volunteer firefighters. The siren can be directly activated, or caused to be activated, by the Town of Lumberland Fire Chief and the chain of command. The Emergency Manager shall have access to this system through the Fire Department.

Special Hazard Alarm - Located at the Town of Lumberland Town Hall, this device is immediately accessible by the Emergency Manger and his chain of command.

b) Emergency Service Vehicles with Siren and Public Address Capabilities

Police and fire vehicles in the Town are equipped with sirens and public address capabilities. These vehicles may be available, in part, during an emergency for "route alerting" of the public.

Door-to-door public warning can be accomplished in some situations by the individual alerting of each residence/business in a particular area.

Door to door warnings can be undertaken by any designated group such as police, fire department members, town personnel, visiting each dwelling in the affected area and relating the emergency information to the building occupants. To achieve maximum effectiveness, the individual delivering the warning message should, when possible, be in official uniform.

4. Provide essential information and instructions including the appropriate protective actions to be taken by the public, to the broadcast media and press.
5. The Emergency Manger shall coordinate the release of all information with the key departments and agencies involved both at the EOC and on-scene, check and control the spreading of rumors, arrange and approve interviews with the news media and press by emergency personnel involved in the response operation and arrange any media tours of emergency sites.

WILDFIRE

An uncontrollable combustion of trees, brush, or grass involving a substantial land area which may have the potential for threatening human life and property.

G. Emergency Medical and Public Health

1. A high impact disaster can cause injury and death to large numbers of people. In addition, damage to and destruction of homes, special facilities, and vital utilities may place the public at substantial risk of food and water contamination, communicable diseases, and exposure to extreme temperatures.
2. There may be established within the EOC on an Emergency Medical/Public Health Group to ensure that health and medical problems are being addressed. The Town will request that the Emergency Medical/Public Health Group be lead by the Red Cross and/or the Sullivan County

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Health Department and rely upon local EMT support wherever possible.

H. Meeting Human Needs

The Emergency Management Team shall be responsible for ascertaining what human needs have been particularly affected by an emergency and responding to those unmet needs with the available resources of County and local government and with the assistance of volunteer agencies and the private sector.



should be used first in responding to the emergency.

3. All Town owned resources are under the control of the Town Supervisor during an emergency and can be utilized as necessary.
4. Resources owned privately cannot be commandeered or confiscated by government during an emergency. However, purchases and leases of privately owned resources can be expedited during a declared emergency. In addition, it is not uncommon for the private sector to donate certain resources in an emergency.

K. Supporting Plans

The following is a list of functional and hazard specific documents that support this plan, and are file in the Town EOC:

1. Town of Lumberland Fire Mutual Aid Plan
2. Town of Lumberland Police Mutual Aid Plan
3. Lake Champion Emergency Procedures
4. Camp Glen Spey Fire Safety Plan and Emergency Procedures
5. Orange and Rockland Utilities Emergency Action Plan in Event of Dam Failure
6. Camp Lokanda Evacuation Plan

I. Restoring Public Services

The Emergency Manager may designate personnel to coordinate restoration of utility services within the Town.

J. Resource Management

1. The Emergency Manager shall be responsible for the identification and allocation of additional resources needed to respond to the emergency situation.
2. Resources owned by the Town of Lumberland

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SECTION IV

RECOVERY

A. Damage Assessment

1. Generally

All Town departments of local government in the Town of Lumberland must participate in damage assessment activities. The Town Emergency Manager is responsible for:

- a. Developing a damage assessment procedure,
- b. Coordinating damage assessment activities during and following an emergency,
- c. Designating a damage assessment team for each emergency, and
- d. Maintain detailed records of emergency expenditures.

All Town departments will cooperate fully with the Emergency Manager in damage assessment activities including:

2. Pre-emergency

Pre-emergency activities include:

- a. Identifying personnel and resources to assist with damage assessment,
- b. Identifying non-government groups such as nonprofit organizations, trade organizations and professionals who can assist with damage assessment,
- c. Fostering agreements between the Town and the private sector for additional technical support where needed,
- d. Utilizing geographic information system (GIS) data from Sullivan County in damage assessment, and
- e. Participating in annual training.

3. Emergency

Emergency activities include:

- a. Obtaining and maintaining documents, maps,

photos and videos of damage,

- b. Developing procedures and forms for reporting damage to higher levels of government, and
- c. Determining if County assistance is required in the damage assessment process

4. Post-emergency

Post-emergency activities include:

- a. Selecting personnel to participate in damage assessment survey teams,
- b. Arranging for training of selected personnel in damage assessment survey techniques,
- c. Identifying and prioritizing areas to survey damage,
- d. Working with the County to assign survey teams to selected areas and provide support as required,
- e. Working with the County to complete damage assessment survey reports and maintain records of the reports,
- f. Keeping detailed records of Town expenditures for:
 - Labor used,
 - Use of owned equipment,
 - Use of borrowed or rented equipment,
 - Use of materials from existing stock, and
 - Contracted services for emergency response

5. Conducting Damage Assessments

Damage assessment will be conducted by Town employees, such as building inspectors, assessors and members of nonprofit organizations, such as the American Red Cross and the Salvation Army.

When necessary, non-government personnel from the fields of engineering, construction, insurance, property evaluation and related fields, may supplement the effort.

There will be two types of damage assessment

- a. Infrastructure (damage to public property and the infrastructure), and
- b. Individual assistance teams (impact on individuals and families, agriculture, private sector).

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Town damage assessment information will be reported to the damage assessment team at the Emergency Operation Center and, as appropriate, to Sullivan County. All assessment activities in the disaster area will be coordinated by the Emergency Manager.

6. Damage Assessment Reporting

A Damage Assessment Report shall contain information regarding the following:

- a. Destroyed property,
- b. Property sustaining major damage,
- c. Damage to public property, including road systems, bridges, dams, public buildings, equipment, and vehicles,
- d. Parks and recreational facilities,
- e. Damage to agriculture,
- f. Costs of mass care, housing, and community services provided beyond normal needs,
- g. Debris clearance and protective measures taken such as pumping, sandbagging, construction of warning signs and barricades, and
- h. Financing overtime and labor required for emergency operations.

Damage assessment guidance, with appropriate forms, is available from the State Emergency Management Office, including the *Public Assistance Handbook of Policies and Guidelines for Applicants*.

B. Planning for Recovery

Recovery includes community development and redevelopment. Community development is based on a Comprehensive Plan prepared by the Town of Lumberland Planning Board and adopted by the Town Board as the official policy for development of the Town. Land use planning and the corresponding implementation tools such as the Town zoning ordinance, subdivision regulations, building code, etc. provide guidance for community development and redevelopment.

Political leadership is required to coordinate the programs and agencies necessary to bring about a high quality level of recovery and community redevelopment. This leadership should come from the Town Supervisor and Town Board. The Town Supervisor in his or her capacity as Emergency Manager shall decide how the

recovery will be managed. A recovery and redevelopment plan shall be prepared, unless the Town Board shall determine such a plan to be unnecessary or impractical. Such plan shall address;

1. Replacement, reconstruction, removal, relocation of damaged or destroyed infrastructures/buildings,
2. Establishment of priorities for emergency repairs to facilities, buildings and infrastructures,
3. Economic recovery and community development, and
4. New or amended land use regulations, building and health codes.

Recovery and redevelopment plan will account for and incorporate to the extent practical, relevant existing plans and policies. Prevention and mitigation measures should be incorporated into all recovery planning where possible.

The Town shall, within the period required by State law, report to the State Disaster Preparedness Commission (DPC) through SEMO, whether the preparation of a recovery and redevelopment plan has been started and, if not, the reasons for not preparing the plan. Proposed plans shall be presented at a public hearing with required notice of the hearing published in a newspaper of general circulation in the area affected and transmitted to other media for publications and broadcast.

The recovery and redevelopment plan shall be prepared within the time period required by State law and transmitted to the DPC for comments on the plan. The plan shall be adopted by Town after receiving the comments of the DPC. The adopted plan may be amended at anytime in the same manner as originally prepared, revised and adopted. It shall be the official policy for recovery and redevelopment within the Town.

C. Reconstruction

Reconstruction consists of two phases:

Phase 1: Short term reconstruction to return vital life support systems to minimum operating standards; and

Phase 2 Long term reconstruction and development that may continue for years after a disaster and will implement the officially adopted plans, policies and programs for redevelopment including risk reduction projects to avoid the conditions and circumstances that led to the disaster. Long term reconstruction and recovery includes activities such as:

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1. Scheduling planning for redevelopment,
 2. Analyzing existing State and Federal programs to determine how they may be modified or applied to reconstruction,
 3. Conducting of public meetings and hearings,
 4. Providing temporary housing and facilities,
 5. Public assistance,
 6. Coordinating other recovery assistance,
 7. Monitoring of reconstruction progress, and
 8. Preparation of periodic progress reports.
5. What actions to take to apply for assistance, and
 6. Where to apply for assistance.

This information will be distributed freely and as broadly as possible to suit the circumstances of need.

E. Types of Recovery Assistance

The following types of assistance may be available to the community:

1. Food stamps (regular and/or emergency),
2. Temporary housing (rental, mobile home, motel),
3. Unemployment assistance and job placement (regular and disaster unemployment),
4. Veteran's benefits,
5. Social Security benefits,
6. Disaster and emergency loans (Small Business Administration, USDA Rural Development),
7. Individual and family grants, and
8. Legal assistance.

Reconstruction operations must conform to existing State/Federal laws and regulations concerning environmental impact. Reconstruction operations in and around designated historical sites must conform to existing State and FEMA guidelines.



All the above information will be prepared in cooperation with the federal, State, and County public information officers as appropriate and furnished to the media for reporting to public.

D. Public Information on Recovery Assistance

A public information officer designated by the Emergency Manager or the Emergency Manager shall be responsible for making arrangements with the broadcast media and press to obtain their cooperation in adequately reporting to the public regarding:

1. What kind of emergency assistance is available to the public,
2. Who provides the assistance,
3. Who is eligible for assistance,
4. What kinds of records are needed to document items which are damaged or destroyed by the disaster,

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STANDARD OPERATING GUIDE

TOWN OF LUMBERLAND EMERGENCY
OPERATIONS CENTER (EOC)

A. INTRODUCTION

This Guide is a supplement to the Town of Lumberland Comprehensive Emergency Management Plan. The Town of Lumberland Emergency Operations Center (EOC), located at the Lumberland Municipal Building serves as a location where multiple agencies and departments can coordinate emergency response and recovery activities for the Town in support of on-scene operations. The Town Supervisor (Emergency Manager) is responsible for maintaining the EOC in a state of readiness and providing for its continued operation during an emergency.

B. READINESS

The Emergency Manager shall maintains (at the EOC):

- 1) A current alert notification roster of all government, private sector, and volunteer emergency support services personnel assigned to the EOC.
- 2) A current chart and/or checklist of response activities required during emergencies.
- 3) Current maps and data, including a Town map depicting depicting all public roads; streams, other natural hazard areas and special facility data.
- 4) A situation display board for recording and reporting progress of an emergency.
- 5) A daily activities log.
- 6) A current resource inventory.
- 7) EOC space is to be maintained in an emergency operations mode by the Emergency Manager at all times.

C. ACTIVATION

Each emergency in Town of Lumberland should be classified into one of three Response Levels, according to the scope and magnitude of the situation:

Response Level 1: Controlled emergency situation without serious threat to life, health, or property, which requires no assistance beyond initial first responders.

Response Level 2: Limited emergency situation with some threat to life, health, or property, but confined to a limited area, usually involving small population.

Response Level 3: Full emergency situation with major threat to life, health, or property, involving large population.

Activation in response to each type emergency will be as follows:

- 1) For Response Level 1, only Town staff are notified and activated as appropriate.
- 2) For Response Level 2, Town staff are activated and the County emergency management response organization is notified to be available as may be necessary.
- 3) For Response Level 3, Town staff are activated and County response personnel are immediately requested to

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assist in the emergency response.

For every emergency, the Response Level can shift from one level to another as the event escalates or de-escalates. EOC staffing should also change accordingly.

D. STAFFING

Staffing levels will vary by Response Level. Each agency/organization assigned to the EOC will be prepared to maintain continuous operations using two 12 hour shifts (6:00 AM to 6:30 PM and 6:00 PM to 6:30 AM).

E. SITUATION REPORTING

The Emergency Manager is responsible for preparation of the Incident Action Plan and emergency situation reporting, and will provide a uniform reporting format for all situation reporting to ensure that the information reported is precise, concise, and clear. The Emergency Manager shall also, after the occurrence of an emergency, ensure that information on the emergency is collected and reported as soon as possible, periodically requesting situation reports from each agency, department and organization represented at the EOC.

Crucial situation reports and damage assessment information will be posted on a Situation Board in chronological order. In preparation of an Incident Action Plan, the Emergency Manager will analyze the situation reports and prepare an overall situation report. The report should contain the following information:

- 1) Date and time of emergency,
- 2) Type, response level and location,
- 3) Specific area affected (including number of people),
- 4) Number of injured (estimated),
- 5) Number of dead (estimated),
- 6) Extent of damage (estimated),
- 7) Damage or loss of municipal response equipment,
- 8) Roads closed,
- 9) States of emergency declared,
- 10) Emergency order(s) issued,
- 11) Mutual aid called upon,
- 12) Major actions taken,

This report will be shared with the County Emergency Management response office and the SEMO Regional Office as may be appropriate. Additional such reports will be prepared as needed and the Manager will maintain an event log to include all pertinent disaster-related information.

F. SECURITY

Internal security at the EOC will be provided by the Town Constable during a Level 2 and 3 emergency; during a Level 1 emergency, any security requirements will be provided as deemed necessary. All persons entering and exiting the EOC will be required to check in at the security desk, located at the main entrance. All emergency

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personnel will be issued a color-coded pass that will indicate the areas of entitled access (permanent or temporary) to be worn at all times while in the EOC. Anyone seen in the EOC without a visible pass will be approached by the Constable and dealt with appropriately.

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**INSTRUCTIONS FOR
DECLARING A STATE OF EMERGENCY
AND ISSUING EMERGENCY ORDERS**

A. INSTRUCTIONS FOR DECLARING A LOCAL STATE OF EMERGENCY

Only the Town Supervisor, or a person acting for the Town Supervisor under this plan, can declare a local State of Emergency. A local State of Emergency is declared pursuant to Section 24 of the State Executive Law (see Appendix C). It can be declared in response to, or anticipation of, a threat to public safety. A declaration of a local State of Emergency may be verbal or written. If it is verbal, it will followed, wherever possible, with a written order. The declaration will include the time and date, the reason for the declaration, the area involved, and the expected duration. The written declaration will be kept on file in the Town Clerk's Office.

A local State of Emergency must be declared before Emergency Orders are issued.

A local State of Emergency should be formally rescinded when the declaration is no longer needed. Only the Town Supervisor, or person acting for, may rescind a local State of Emergency. Though a rescision may be verbal or written, if the declaration was written, the rescision should also be written. The rescision should include the time and date of the original declaration, the reason for the local State of Emergency, and the time and date the State of Emergency is rescinded. The written rescision should be kept on file in the County Clerk's Office.

B. SAMPLE DECLARATION OF A LOCAL STATE OF EMERGENCY

The following format will be used in declaring a State of Emergency in the Town of Lumberland.

SAMPLE DECLARATION OF LOCAL STATE OF EMERGENCY

A State of Emergency is hereby declared in [DESCRIPTION OF AREA] effective at [TIME] on [DATE]. This State of Emergency has been declared due to [DESCRIPTION OF SITUATION], which situation threatens the public safety. The State of Emergency will remain in effect until rescinded by a subsequent order.

As the Town Supervisor of the Town of Lumberland, I, [NAME OF SUPERVISOR], exercise the authority given me under Section 24 of the New York State Executive Law, to preserve the public safety and hereby render all required and available assistance vital to the security, well-being and health of the citizens of this Town.

I hereby direct all departments and agencies of the Town of Lumberland to take whatever steps necessary to protect life and property, public infrastructure and provide such emergency assistance deemed necessary.

Town of Lumberland Supervisor

[DATE]

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C. QUESTIONS AND ANSWERS ON DECLARING A STATE OF EMERGENCY

Why should a local state of emergency be declared?

It increases the powers of the Supervisor as the chief executive officer. These extended powers can include; 1) issuing emergency orders; 2) implementing public protective measures; 3) suspending local laws and regulations; and 4) requesting supplemental assistance.

Can a declaration give legal protection?

Yes. A declaration of a local State of Emergency provides legal protection and immunities for the Town Supervisor and local emergency officials when they make decisions and take actions to respond to disasters or emergencies.

Will the declaration help raise public awareness?

Yes. A declaration of a local State of Emergency helps make the public aware of the hazards associated with a disaster. It also can emphasize the protective measures you may need to ask citizens to take.

Can a State of Emergency be declared at any time?

No. A local State of Emergency can be issued when a situation exists that has or will place the public at risk and that will require extraordinary measures for proper protection.

When should a local State of Emergency be declared?

A local State of Emergency should be declared when a dangerous situation is present or imminent and emergency officials are considering protective actions such as:

- Evacuation of a heavily populated area, street, road, housing development or multi-resident building.
- Sheltering people in designated areas or buildings.
- Large-scale closing of roads due to conditions considered to be dangerous to lives and property.

Declaring a local State of Emergency should also be considered if the following conditions are present and pose a dangerous threat to the municipality:

- Riots or civil unrest.
- Hostage situations.
- Impending emergency or disaster caused by natural forces (floods, blizzards, ice storms, tornadoes).

Can a declaration be issued verbally?

Yes. The Town Supervisor may issue a declaration verbally if time is a crucial matter. However, it should be followed with a written declaration.

Must the declaration be filed?

No, not legally. However, the Town of Lumberland will follow the practice of filing declarations at the Town Clerk's office.

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Does a declaration of State of Emergency have to be extended after 5 days?

No. The State of Emergency does not have to be extended, but Local Emergency Orders do.

Does the law establish a time limit for a State of Emergency?

No. It is best to include a time of duration in the original declaration of State of Emergency, or to issue a succeeding declaration with a time limit or a statement that the State of Emergency is continuing. When the proclamation is no longer needed, it should be formally rescinded.

Can the Supervisor issue Local Emergency Orders without a State of Emergency?

No. A State of Emergency must be declared before issuing Local Emergency Orders.

Will a declaration help in getting assistance from the State?

Yes. If a local State of Emergency is declared and it is determined the disaster is beyond the capacity of County resources, the Town Supervisor may request the Governor to provide assistance from State resources.

Must a declaration of State of Emergency be rescinded?

No. However, a written rescinding statement should be made when the emergency no longer exists. The Town Supervisor can rescind the declaration of emergency at any time.

If a State of Emergency isn't rescinded, does it end automatically?

If a time limit was indicated in the declaration of State of Emergency it will end automatically at that time and date indicated. If no time limit was specified, the State of Emergency does not end automatically.

When a State of Emergency be rescinded?

When the conditions that warranted the declaration no longer exist.

Must the rescission be issued in writing?

No. However, it is recommended that it be issued in written form.

Must the rescission be filed?

No. However, it is recommended that it be filed in the Office of the Town Clerk.

D. INSTRUCTIONS FOR ISSUING LOCAL EMERGENCY ORDERS

Local Emergency Orders can be issued only if there is a State of Emergency in effect under Section 24 of the State Executive Law (see Appendix C). Local Emergency Orders can be issued only by the Town Supervisor. They must be written.

Local Emergency Orders should include the time and date they take effect, the reason for the declaration, the area involved, and the duration. A Local Emergency Order expires automatically after five (5) days. It can be rescinded before that by its own terms, or by a rescission by the Town Supervisor. It is also automatically rescinded when the State of Emergency is rescinded.

The Town Supervisor may extend Local Emergency Orders for periods not to exceed five (5) days each during the State of Emergency. Such Local Emergency Orders must be published as soon as practicable in a newspaper of general circulation and provided to radio and television media for broadcast. They must be refiled if they are extended.

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Local Emergency Orders must be executed in triplicate and filed within 72 hours or as soon as practicable in the Office of the Town Clerk, Office of the County Clerk and the Office of the Secretary of State.

E. SAMPLE LOCAL EMERGENCY ORDER

The following is a sample Local Emergency Order for the Town of Lumberland. This format should be used in issuing such orders.

<p style="text-align: center;">TOWN OF LUMBERLAND LOCAL EMERGENCY ORDER</p> <p>I, [NAME OF SUPERVISOR], the Town Supervisor of the Town of Lumberland, in accordance with a declaration of a State of Emergency issued on [DATE OF DECLARATION OF LOCAL STATE OF EMERGENCY], and pursuant to Section 24 of the State Executive Law, hereby order the evacuation of all persons from the following [DESCRIPTION OF AFFECTED AREAS]. This evacuation is necessary to protect the public from [DESCRIPTION OF HAZARD SITUATION]</p> <p>This order is effective immediately and shall apply until removed by order of the Chief Executive.</p> <p>Failure to obey this order is a criminal offense.</p> <p style="text-align: right;">Signed at [TIME], [DATE], [YEAR].</p> <p style="text-align: right;">Town of Lumberland Supervisor</p> <p style="text-align: right;">Attest: [TITLE OF PERSON ATTESTING]</p>
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F. QUESTIONS AND ANSWERS ON ISSUING LOCAL EMERGENCY ORDERS

Can anyone issue a Local Emergency Order?

No. Only the Town Supervisor may issue a Local Emergency Order.

What can a local Emergency Order include?

An emergency order can require whatever is necessary to protect life and property or to bring the emergency situation under control as long as what it is within the constitutional powers of county government.

Can a Local Emergency Order be issued at any time in an emergency?

No. A Local Emergency Order can be issued only after the Town Supervisor declares a local State of Emergency.

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Is it in effect indefinitely?

No. A Local Emergency Order is effective from the time and in the manner prescribed in the order. It terminates 5 days after issuance, or by rescission by the Town Supervisor, or a declaration of the Town of Supervisor that the State of Emergency no longer exists, whichever occurs sooner.

Can an order be modified once it's issued?

Yes. A Local Emergency Order may be amended, modified, or rescinded at any time by the Town Supervisor during the State of Emergency.

Can a Local Emergency Order be extended beyond five days?

Yes. The Town of Supervisor may extend an order for additional periods up to 5 days each during the local State of Emergency. Each extension must be refiled.

Must the media be informed?

Yes. The Local Emergency Order must be published as soon as practicable in a newspaper of general circulation in the area affected by the order. It should be published under the paid legal advertisement section. It must also be provided to radio and television media for broadcast.

Can a citizen who disobeys an emergency order be arrested?

Yes. Any person who knowingly violates any Local Emergency Order of the Town Supervisor issued pursuant to Section 24 of the Executive Law can be found guilty of a Class B misdemeanor.

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SECTIONS 23 AND 24 OF STATE EXECUTIVE LAW

S 23. Local disaster preparedness plans.

1. Each county, except those contained within the city of New York, and each city, town and village is authorized to prepare disaster preparedness plans. The disaster preparedness commission shall provide assistance and advice for the development of such plans. City, town and village plans shall be coordinated with the county plan.
2. The purpose of such plans shall be to minimize the effect of disasters by (i) identifying appropriate local measures to prevent disasters, (ii) developing mechanisms to coordinate the use of local resources and manpower for service during and after disasters and the delivery of services to aid citizens and reduce human suffering resulting from a disaster, and (iii) providing for recovery and redevelopment after disasters.
3. Plans for coordination of resources, manpower and services shall provide for a centralized coordination and direction of requests for assistance.
4. Plans for coordination of assistance shall provide for utilization of existing organizations and lines of authority.
5. In preparing such plans, cooperation, advice and assistance shall be sought from local government officials, regional and local planning agencies, police agencies, fire departments and fire companies, local civil defense agencies, commercial and volunteer ambulance services, health and social services officials, community action agencies, organizations for the elderly and the handicapped, other interested groups and the general public. Such advice and assistance may be obtained through public hearings held on public notice, or through other appropriate methods.
6. All plans for disaster preparedness developed by local governments or any revisions thereto shall be submitted to the commission by December thirty-first of each year to facilitate state coordination of disaster operations.
7. Such plans shall include, but not be limited to:
 - a. Disaster prevention. Plans to prevent and minimize the effects of disasters shall include, but not be limited to:
 - (1) identification of potential disasters and disaster sites;
 - (2) recommended disaster prevention projects, policies, priorities and programs, with suggested implementation schedules, which outline federal, state and local roles;
 - (3) suggested revisions and additions to building and safety codes and zoning and other land use programs;
 - (4) such other measures as reasonably can be taken to prevent disasters or mitigate their impact.
 - b. Disaster response. Plans to coordinate the use of resources and manpower for service during and after disasters and to deliver services to aid citizens and reduce human suffering resulting from a disaster shall include, but not be limited to:
 - (1) centralized coordination of resources, manpower and services, utilizing existing organizations and lines of authority and centralized direction of requests for assistance;
 - (2) the location, procurement, construction, processing, transportation, storing, maintenance, renovation, distribution or use of materials, facilities and services which may be required in

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time of disaster;

- (3) a system for warning populations who are or may be endangered;
 - (4) arrangements for activating municipal and volunteer forces, through normal chains of command so far as possible, and for continued communication and reporting;
 - (5) a specific plan for rapid and efficient communication and for the integration of local communication facilities during a disaster including the assignment of responsibilities and the establishment of communication priorities and liaison with municipal, private, state and federal communication facilities;
 - (6) a plan for coordination evacuation procedures including the establishment of temporary housing and other necessary facilities;
 - (7) criteria for establishing priorities with respect to the restoration of vital services and debris removal;
 - (8) a plan for the continued effective operation of the criminal justice system;
 - (9) provisions for training local government personnel and volunteers in disaster response operations;
 - (10) providing information to the public;
 - (11) care for the injured and needy and identification and disposition of the dead;
 - (12) utilization and coordination of programs to assist victims of disasters, with particular attention to the needs of the poor, the elderly, the handicapped, and other groups which may be especially affected;
 - (13) control of ingress and egress to and from a disaster area;
 - (14) arrangements to administer state and federal disaster assistance;
 - (15) procedures under which the county, city, town, village or other political subdivision and emergency organization personnel and resources will be used in the event of a disaster;
 - (16) a system for obtaining and coordinating disaster information including the centralized assessment of local disaster effects and resultant needs; and
 - (17) continued operation of governments of political subdivisions.
- c. Recovery. Local plans to provide for recovery and redevelopment after disasters shall include, but not be limited to:
- (1) recommendations for replacement, reconstruction, removal or relocation of damaged or destroyed public or private facilities, proposed new or amendments to zoning, subdivision, building, sanitary or fire prevention regulations and recommendations for economic development and community development in order to minimize the impact of any potential future disasters on the community.
 - (2) provision for cooperation with state and federal agencies in recovery efforts.
 - (3) provisions for training and educating local disaster officials or organizations in the preparation of applications for federal and state disaster recovery assistance.

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S 24. Local state of emergency; local emergency orders by chief executive.

1. Notwithstanding any inconsistent provision of law, general or special, in the event of a disaster, rioting, catastrophe, or similar public emergency within the territorial limits of any county, city, town or village, or in the event of reasonable apprehension of immediate danger thereof, and upon a finding by the chief executive thereof that the public safety is imperiled thereby, such chief executive may proclaim a local state of emergency within any part or all of the territorial limits of such local government; provided, however, that in the event of a radiological accident as defined in section twenty-nine-c of this article, such chief executive may request of the governor a declaration of disaster emergency. Following such proclamation and during the continuance of such local state of emergency, the chief executive may promulgate local emergency orders to protect life and property or to bring the emergency situation under control. As an illustration, such orders may, within any part or all of the territorial limits of such local government, provide for:
 - a. the establishment of a curfew and the prohibition and control of pedestrian and vehicular traffic, except essential emergency vehicles and personnel;
 - b. the designation of specific zones within which the occupancy and use of buildings and the ingress and egress of vehicles and persons may be prohibited or regulated;
 - c. the regulation and closing of places of amusement and assembly;
 - d. the suspension or limitation of the sale, dispensing, use or transportation of alcoholic beverages, firearms, explosives, and flammable materials and liquids;
 - e. the prohibition and control of the presence of persons on public streets and places;
 - f. the establishment or designation of emergency shelters and/or emergency medical shelters;
 - g. the suspension within any part or all of its territorial limits of any of its local laws, ordinances or regulations, or parts thereof subject to federal and state constitutional, statutory and regulatory limitations, which may prevent, hinder, or delay necessary action in coping with a disaster or recovery therefrom whenever (1) a request has been made pursuant to subdivision seven of this section, or (2) whenever the governor has declared a state disaster emergency pursuant to section twenty-eight of this article. Suspension of any local law, ordinance or regulation pursuant to this paragraph shall be subject to the following standards and limits:
 - (i) no suspension shall be made for a period in excess of five days, provided, however, that upon reconsideration of all the relevant facts and circumstances, a suspension may be extended for additional periods not to exceed five days each during the pendency of the state of emergency;
 - (ii) no suspension shall be made which does not safeguard the health and welfare of the public and which is not reasonably necessary to the disaster effort;
 - (iii) any such suspension order shall specify the local law, ordinance or regulation, or part thereof suspended and the terms and conditions of the suspension;
 - (iv) the order may provide for such suspension only under particular circumstances, and may provide for the alteration or modification of the requirements of such local law, ordinance or regulation suspended, and may include other terms and conditions;
 - (v) any such suspension order shall provide for the minimum deviation from the requirements of the local law, ordinance or regulation suspended consistent with the disaster action deemed necessary; and
 - (vi) when practicable, specialists shall be assigned to assist with the related emergency actions to avoid adverse effects resulting from such suspension.

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2. A local emergency order shall be effective from the time and in the manner prescribed in the order and shall be published as soon as practicable in a newspaper of general circulation in the area affected by such order and transmitted to the radio and television media for publication and broadcast. Such orders may be amended, modified and rescinded by the chief executive during the pendency or existence of the state of emergency. Such orders shall cease to be in effect five days after promulgation or upon declaration by the chief executive that the state of emergency no longer exists, whichever occurs sooner. The chief executive nevertheless, may extend such orders for additional periods not to exceed five days each during the pendency of the local state of emergency.
3. The local emergency orders of a chief executive of a county shall be executed in triplicate and shall be filed within seventy-two hours or as soon thereafter as practicable in the office of the clerk of the governing board of the county, the office of the county clerk and the office of the secretary of state. The local emergency orders of a chief executive of a city, town or village shall be executed in triplicate and shall be filed within seventy-two hours or as soon thereafter as practicable in the office of the clerk of such municipal corporation, the office of the county clerk and the office of the secretary of state.
4. Nothing in this section shall be deemed to limit the power of any local government to confer upon its chief executive any additional duties or responsibilities deemed appropriate.
5. Any person who knowingly violates any local emergency order of a chief executive promulgated pursuant to this section is guilty of a class B misdemeanor.
6. Whenever a local state of emergency is declared by the chief executive of a local government pursuant to this section, the chief executive of the county in which such local state of emergency is declared, or where a county is wholly contained within a city, the mayor of such city, may request the governor to remove all or any number of sentenced inmates from institutions maintained by such county in accordance with section ninety-three of the correction law.
7. Whenever a local state of emergency has been declared pursuant to this section, the chief executive of the county in which the local state of emergency has been declared, or where a county is wholly contained within a city, the chief executive of the city, may request the governor to provide assistance under this chapter, provided that such chief executive determines that the disaster is beyond the capacity of local government to meet adequately and state assistance is necessary to supplement local efforts to save lives and to protect property, public health and safety, or to avert or lessen the threat of a disaster.
8. The legislature may terminate by concurrent resolution, such emergency orders at any time.