

# COMPREHENSIVE EMERGENCY MANAGEMENT PLAN

The Consolidated City of Indianapolis (Marion County), Indiana

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## APPENDIX A - Statutes and Ordinances

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**Indianapolis: Revised Code of the Consolidated City and County**  
**TITLE I ORGANIZATION AND ADMINISTRATION**  
**Chapter 251 DEPARTMENT OF PUBLIC SAFETY**  
**ARTICLE IV. EMERGENCY MANAGEMENT PLANNING DIVISION**

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### Sec. 251-402. Definitions.

Emergency management shall mean all measures associated with the prevention and mitigation of the effects of major emergencies, development of plans and preparedness for emergencies, response to the acute effects of emergencies and recovery from emergencies of all kinds.

Local disaster emergency means a major emergency that has resulted in a formal declaration of local state of emergency by the mayor.

Major emergency shall mean an emergency or threat of emergency that causes loss of life, injury, illness or damage to public or private property or the environment to a degree greater than that which occurs on a regular basis in the county.

Man-caused hazards shall mean threats attributable to intentional disruptive actions by humans, including such episodes as riots, public extortion or strikes by essential workers.

Mitigation shall mean the prevention or the lessening of effects of emergencies when and where possible including the adoption of appropriate ordinances and regulations.

National security hazards shall include threats attributable to acts or threat of acts by another government, including such episodes as accidental launch of a nuclear or conventional bomb, limited nuclear or conventional warfare, general nuclear or conventional warfare, or any peacetime emergency that poses a serious threat to the national security.

Natural hazards shall mean threats attributable to forces of nature, including such episodes as floods, earthquakes, tornadoes or epidemics.

Preparedness shall mean all of the measures taken preparatory to emergency response and recovery actions including, but not limited to, the preparation and distribution of emergency management plans, training programs for citizens and emergency forces workers, and emergency information, warning and communications systems.

Recovery shall mean all actions necessary to restore life, limb, property and environment to a condition as nearly like that which prevailed prior to an emergency as possible.

Response shall mean all of the actions necessary to effectively respond to acute need for protection of life, limb, public property, private property and the environment during an emergency.

Technological hazards shall mean serious threats attributable to inventions or products of humankind, including such episodes as structural failures, mass transportation accidents, releases of hazardous materials, fires in multiple occupancy buildings.

(Code 1975, § 3-302(E)(2))

Cross reference(s)--Definitions generally, ch. 102.

**Sec. 251-403. Duties, powers.**

The emergency management planning division shall:

(1) Coordinate and direct the development of a program of emergency management for Marion County. Such program shall involve all sectors of government and the private sector; shall address all threats or emergencies from all hazards, including natural, technological, man-caused and national security hazards; and shall include mitigation, preparedness, response and recovery activities.

(2) Prepare, disseminate and maintain in current status a county emergency management plan which addresses in detail the response to and recovery from major emergencies occurring in Marion County. This plan shall be the sole emergency management plan for the county and shall be filed in the office of the Marion County clerk. No police or private organizations shall develop emergency operating or disaster plans or procedures that are in conflict with the county emergency management plan except where specifically authorized by ordinance, statute or federal law or regulation.

(3) Designate and manage an emergency operations center to which senior government officials and chief coordinators designated in the county emergency management plan may respond to formulate and disseminate decisions regarding the management of a major emergency; the emergency management planning division may also designate such auxiliary emergency operations centers as may be necessary.

(4) Coordinate the development and execution of tests, drills and exercises of the emergency management system or any of its parts.

(5) Be responsible for monitoring hazardous conditions of any kind in the county, making recommendations to the director of public safety and the mayor concerning emergency measures and activating the county emergency management plan after the declaration of a local disaster emergency by the mayor and for coordinating response and recovery operations associated with a major emergency.

(6) Serve as the civil defense agency for Marion County for the purposes of IC 10-4-1-1 through IC 10-4-1-27 and shall have all the powers and duties of a department of civil defense under such statutes.

(7) Be authorized to seek and apply for grants, contracts and other sources of funding necessary or in support of its duties from the federal government, state government and nongovernmental public and private sources.

(Code 1975, § 3-302(E)(3))

#### **Sec. 251-404. Board of public safety.**

(a) The board of public safety shall exercise general supervision over the emergency management program of the county.

(b) The board of public safety shall act as the "county civil defense advisory council" for all of Marion County for the purposes of IC 10-4-1 and shall have and exercise all the powers, duties and obligations under the act.

(Code 1975, § 3-302(E)(4))

#### **Sec. 251-405. Administrator; staff.**

(a) The emergency management planning division shall have an administrator, who shall be appointed by the board of public safety and shall serve at the pleasure of the presiding officer of the board. The administrator shall serve as the county civil defense and disaster director for the purposes of IC 10-4-1 and shall have all the powers and duties of a civil defense and disaster director pursuant to such statutes.

(b) The administrator shall be responsible for such paid and voluntary staff members as are necessary to fulfill the duties of the emergency management planning division. Such staff members shall be subject to any merit system requirements necessary to participate in state and federal funding programs. The emergency management planning division may organize such volunteer units, emergency reservist and others as may be necessary to fulfill its duties. (Code 1975, § 3-302(E)(5))

#### **Sec. 251-406. Merit system.**

The establishment of a merit system of personnel administration for all employees of the division of emergency management planning of the department of public safety to be serviced by the state personnel division is hereby authorized. The director of emergency management planning is authorized and directed to enter into such arrangements and agreements with the state department of civil defense and state personnel division as may be necessary to provide for a continuing merit program of personnel administration for all emergency management planning division employees. The merit program shall be serviced by the state personnel division pursuant to the authority granted by section 37, chapter 139, Acts of 1941, page 387 of the state

personnel act and shall meet federal merit system standards of the U.S. Department of Defense, including the exemption of any position from the merit program as is recognized in these same federal standards.

For the purposes of administering the merit program for all employees of the division, the director of emergency management planning is hereby considered and designated as the appointing officer.

(Code 1975, § 3-302(E)(6))

**Sec. 251-407. Emergency communications and warning.**

(a) The emergency management planning division shall coordinate the development of an emergency communications and warning system which will allow for the dissemination of warning to potential responders and the general public, to effect the notification of appropriate response agencies and individuals and to distribute and receive information to and from potential emergency responders and the general public regarding an emergency condition.

(b) The division shall develop and maintain an integrated system for warning the public, which may include the deployment of public warning sirens, the development of voice radio systems, coordination of the mobilization of cable television systems, coordination of the county's participation in the emergency broadcast system, and any other appropriate systems which may become available.

(Code 1975, § 3-302(E)(7))

**Sec. 251-408. Emergency powers and procedure.**

(a) The mayor shall, via executive order, designate a line of successors which shall establish which government officials may act in his place in the event that both he and the president of the city-county council are incapacitated, absent from the county, deceased or ill.

(b) The mayor may, upon declaring a local disaster emergency, take such actions as are appropriate to assure the public well-being, safety of public and private property and the environment including, but not limited to, the imposition of travel bans on streets and highways; the imposition of curfews; the alteration of normal business working hours; the ordering of evacuation and relocation of civilian populations; all as may be necessary to effect emergency response and recovery.

(Code 1975, § 3-302(E)(8))