

II. POLICIES

A. References

Pennsylvania Emergency Management Services Code, 35 Pa. C.S., Section 7501 et seq.

Federal Civil Defense Act of 1950, 50 U.S.C. 2251 et seq., as amended.

Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 98-288, as amended

B. Pennsylvania Emergency Management Services Code

1. In 1978, the Emergency Management Services Code (Title 35) replaced the State Council of Civil Defense with the Pennsylvania Emergency Management Council. In so doing, the law created the Pennsylvania Emergency Management Agency (PEMA) and expanded the mandate of the agency to include comprehensive emergency management for all hazards. This included natural and technological as well as war-related disasters. In PEMA, it created a single agency to coordinate all emergency response programs provided by state government. In 1979, a presidential directive from President Jimmy Carter established a similar organization (the Federal Emergency Management Agency – FEMA) at the federal level. Additionally, in 1981, the federal Civil Defense Act was amended to formally acknowledge that “Civil Defense – funded” response resources could be used for non-attack emergencies.

2. The Emergency Management Services Code is divided into four chapters. Chapter 71 (Preliminary Provisions) deals with titles, definitions and purpose. Important in this chapter is a definition of “emergency management” as “the judicious planning, assignment and coordination of all available resources in an integrated program of prevention, mitigation, response, and recovery for emergencies of any kind, whether from attack, man-made or natural causes.”

Chapter 73 of the Code deals with “Commonwealth Services.” It specifies emergency powers granted to the Governor, such as activation of the National Guard and the ability to commandeer private or public property. This chapter also includes the description of PEMA, and its powers and duties. In addition to providing training and other capability-building resources to municipalities, PEMA maintains the state emergency operations center (EOC) and keeps current the Commonwealth of Pennsylvania Emergency Operations Plan (EOP). The law directs that the PEMA director be the State Coordinating Officer (SCO), and that PEMA draft the Governor’s disaster declaration.

3. The chapter that applies most to local elected officials is Chapter 75, “Local Organizations and Services.” It specifies the need for the emergency management coordinator (EMC), his certification process and his training (Section 7502). In Section 7503, the powers and duties of political subdivisions are listed. These include preparing the

EOP, establishing and staffing an EOC, adopting precautionary measures, and participating in drills and exercises. It also discusses agreements among political subdivisions; and handling gifts, appropriations and grants. Section 7501 authorizes the governing body of a political subdivision to declare a local disaster emergency when it finds that a local disaster has occurred or is imminent. The governing body may delegate to the mayor or other chief executive officer authority to declare a local disaster emergency. The declaration may not exceed a period of seven days, but may be renewed with the consent of the governing body. The effect of a declaration of a local disaster emergency is to activate the response and recovery aspects of the municipality's emergency management plan and to authorize the furnishing of aid and assistance. The declaration must be filed with PEMA. When two or more political subdivisions within a county are affected by the same disaster, the county emergency management agency will exercise responsibility for coordination and support of emergency services within the area of operations.

4. A gubernatorial disaster declaration is based on damage assessment, the request from local government, and the recommendation of the director of PEMA. Considering the important role played by damage assessment in this process, it is important that each municipality have a trained team prepared to function at all times. County EMAs and PEMA regularly provide training for damage assessment team members.

C. Evacuation Orders

1. General
 - a) Under PEMA Circular, Evacuation Authority, all county commissioners, mayors, and township supervisors have the statutory authority under the Emergency Management Services Code to order an evacuation during an emergency situation within their jurisdictions. In addition, when necessary, those officials can also seek the additional support of the Governor to "direct and compel" the evacuation of all persons from their jurisdictions when the circumstances of the emergency situation require such action.
2. Evacuation Authority of the Governor
 - a) Should the Governor find that a disaster has occurred or that the occurrence or the threat of a disaster is imminent, he may issue a Declaration of Disaster Emergency under Section 7301 of the Emergency Management Services Code, which may not continue for longer than 90 days unless renewed by the Governor. During this state of disaster emergency, the Governor has the authority to direct and compel (that is forcibly remove) the evacuation of all or part of the population from any stricken or threatened area within the Commonwealth if the action is necessary for the preservation of life or other disaster

mitigation, response or recovery. The Governor may also control ingress and egress to and from a disaster area, the movement of persons within the area and the occupancy of premises within the disaster area.

- b) The Governor's evacuation order will be coordinated and communicated through the Pennsylvania Emergency Management Agency and the applicable county emergency management agency to the implementing law enforcement officials. Should it become necessary for the Governor to compel persons to evacuate an area, the Pennsylvania State Police and, if necessary, the National Guard could be employed to accomplish the evacuation order.
3. Evacuation Authority of County Commissioners, Mayors, and Township Supervisors
- a) All County Commissioners, Mayors, and Township Supervisors have the authority to order (that is command or direct), but not to compel, an evacuation within their jurisdictions in the event of a disaster emergency. The authority of county and municipal elected officials should be exercised after a local disaster emergency has been declared by the county or municipal governing body upon finding that a disaster has occurred or is imminent. For fast moving emergencies, the County Commissioners, Mayor, or Township Supervisors may declare a disaster emergency subject to later ratification by the governing body (i.e. within 72 hours of the declared disaster). Therefore, in order to prepare for this type of emergency, the county or municipal governing body should establish a procedure in its county or municipal emergency operations plan that will either automatically issue the disaster declaration under a predetermined set of circumstances or provide for the ratification of the disaster declaration made by the Commissioner, Mayor, or Supervisor.
 - b) The effect of a county or municipal disaster declaration is to activate the preparedness, response, recovery and mitigation aspects of all applicable county and/or municipal emergency operations plans. The activation of those plans would include the implementation of any evacuation measures needed to safeguard the health and safety of any residents at risk from the disaster emergency.
 - c) During a disaster emergency, the direction of the evacuation measures within a jurisdiction is the responsibility of the lowest level of government affected by the disaster emergency. Thus, during a small disaster that only affects one municipality (i.e. a fire or chemical spill totally within the boundaries of one borough or township), the Mayor or senior Township Supervisor would be responsible for directing the evacuation measures. His

- or her evacuation order should be communicated through the municipality's Emergency Management Agency to the general public. Should one not exist, then the evacuation order should be issued through the County Emergency Management Agency to police and fire officials for their implementation of the evacuation order within the affected municipality.
- d) Should the same disaster emergency affect two or more municipalities within the same county, the county emergency management agency is responsible for the coordination and support of emergency assistance to the entire area affected by the disaster emergency. Thus, during this type of multi-jurisdictional disaster emergency, the County Commissioners would have the responsibility and authority to order the evacuation of any residents in the affected municipalities who might be at risk from the disaster emergency. However, this authority does not preclude or prevent a Mayor or Township Supervisor from independently issuing an evacuation order within his or her municipality.
 - e) As a result, during a disaster emergency, the County Commissioners need to coordinate the formulation of the evacuation decision with the Mayor(s) and/or Township Supervisor(s) of the municipalities affected by the disaster emergency. Using this approach, most county evacuation orders should only be issued when a Mayor or Township Supervisor:
 - 1) Fails to order an evacuation to protect the health and safety of their residents,
 - 2) Cannot be located to issue an evacuation order,
 - 3) Lacks the communication and coordination capability to order and direct the evacuation; or
 - 4) The disaster emergency affects multiple jurisdictions within the same county.
4. Other Authority of County Commissioners, Mayors, and Township Supervisors
- a) In addition to the authority stated above, county and municipal elected officials can rely upon statutory authority set forth in the County, Borough, and Township Codes to promote and preserve the public health, safety and welfare of those persons residing within their jurisdictions.
 - b) County Commissioners
Section 3508(b) of the County Code (16 P.S. Section 3508(b)) states that: "The board of county commissioners may formulate and adopt ordinances, resolutions, rules and regulations, pertaining to the use of any property owned or used by the

county and the conduct of persons in, on or about such county property, in order to preserve such property and to promote and preserve the public health, safety and welfare." Thus, during an emergency situation, county commissioners could clearly order the evacuation of persons from all county owned or used property affected by the emergency.

c) Mayors

1) Should the emergency affect a borough within a county, the following authority from the Borough Code (53 P.S. Section 46028(b)) would apply:

- (a) In addition to the power granted to mayors by Part V of Title 35 of the Pennsylvania Consolidated Statutes (relating to emergency management services) and in order to enable him effectually to preserve the public peace within the borough, all the powers which are devolved by the laws of this Commonwealth upon sheriffs, to prevent and suppress mobs, riots and unlawful and tumultuous assemblies, are hereby conferred upon the mayor. When the mayor considers that a state of emergency exists, he may issue his proclamation, which shall be in writing and the contents of which shall be made available to all news media, declaring a state of emergency for a period not to exceed seven days, unless sooner rescinded, modified or ratified or extended by resolution of council. In his proclamation he may prohibit, for all or any part of the borough:
 - (b) Any person being on the public streets or in the public parks or at any other public place during the hours declared by him to be a period of curfew.
 - (c) The entry or departure of persons into or from any restricted area.
 - (d) The sale, purchase or dispensing of any commodities or goods, as designated by him.
 - (e) The transportation, possession or use of gasoline, kerosene or other combustible, flammable or explosive liquids or materials, except in connection with the normal operation of motor vehicles, normal home use or legitimate commercial use.

- 2) Any other such activities as he reasonably believes should be prohibited to help preserve life, health, property or the public peace.
 - 3) The proclamation shall describe any restrictive area with particularity and shall specify the hours during such restrictions are to be in effect.
 - 4) Any person violating such proclamation of emergency shall be guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine not to exceed three hundred dollars (\$300) and costs or to undergo imprisonment not to exceed thirty days."
 - 5) This authority, together with the authority set forth in Section 7501 and 7504 of the Emergency Management Services Code states that a mayor can proclaim a disaster emergency and then order (but not compel) an evacuation of persons from any restricted area so designated by the mayor.
- (d) First and Second Class Township Supervisors.
- 1) At the first class township level, 53 P.S. Section 56510 grants township supervisors the authority "to take all needful means for securing the safety of persons or property within the township."
 - 2) At the second class township level, 53 P.S. Section 66527 grants township supervisors the authority to "adopt ordinances to secure the safety of persons or property within the township..."
 - 3) This broad authority, together with the specific authority in Section 7504 of the Emergency Management Services Code which states that local officials are responsible for the direction of disaster emergency management services, (i.e., "the evacuation of persons from stricken areas") makes it clear that township supervisors could order the evacuation of persons from any area of the township upon their finding that a disaster has occurred or is imminent.
5. Evacuation Authority of Fire Chiefs and Police Chiefs
- (a) As public safety and law enforcement officials, both fire chiefs and police chiefs have the duty to carry out the police powers of the governmental officials that they serve. Thus, because all County Commissioners, Mayors, and Township Supervisors have the authority to order, but not to compel, an evacuation within their jurisdictions, all fire chiefs and police chiefs would have the responsibility to implement and carry out that authority by ordering persons to evacuate an area threatened

by an emergency situation. Their authority emanates from the police powers set forth in Sections 7501, 7503 and 7504 of the Emergency Management Services Code (35 Pa. C.S. Section 7101 et. seq.) and the public safety provisions of the Borough Code (53 P.S. Section 46028(b), First Class Township Code (53

P.S. Section 56510) and the Second Class Township Code (53 P.S. Section 66527).

- (b) With the above stated statutory authority, all counties, boroughs and townships have the legal capability to pass ordinances, regulations and emergency management plans that formally set forth the duties and responsibilities of all emergency management coordinators, fire chiefs, police chiefs, and other public officials concerning evacuations and other emergency management functions. For guidance purposes, a county or municipal operations plan should set forth the circumstances under which a disaster emergency may be declared and an evacuation ordered, the method for communicating the evacuation order, the fact that police and fire chiefs act under the direction and authority of their elected officials or designee (i.e. emergency management coordinator), the degree of discretionary authority that police and fire chiefs may exercise when elected officials are absent or unavailable during the emergency, and other related emergency management factors.
- (c) Nevertheless, should no ordinance, regulation or emergency operations plan exist at the time of an emergency, a fire chief or police chief would still have the authority to order an evacuation in response to an emergency that posed an immediate threat to the life, safety and health of persons located in the immediate vicinity of the fire, hazardous material spill or other emergency. Under such circumstances, a fire chief should order the evacuation and, if necessary, rely upon the law enforcement authority of the municipal police or state police to carry out his order.

6. Evacuation Authority of Pennsylvania State Police

- (a) At the State level, the Pennsylvania State Police has the responsibility to implement the authority of the Governor under a Declaration of Disaster Emergency. In accordance with Section 710(b) of the Administrative Code of 1929, the State Police have the duty "to assist the Governor in the administration and enforcement of the laws of the Commonwealth, in such manner, at such times, and in such places, as the Governor may from time to time request" and "to enforce the laws regulating the use of the highways of the Commonwealth..."

- (b) Concerning actual evacuations, the following statutory authority of the Governor would be enforced by the Pennsylvania State Police during a declared disaster emergency:
 - 1) Directing and compelling the evacuation of all or part of the population from any stricken or threatened area within the Commonwealth.
 - 2) Prescribing routes, modes of transportation and destinations in connection with the evacuation.
 - 3) Controlling ingress and egress to and from a disaster area, the movement of persons within the area and the occupancy of premises within the disaster area.
 - 4) Modifying the traffic provisions on any or all highways in the Commonwealth to be effective at any or all hours of the day or night with respect to any or all types or classes of vehicles. (See Section 6208 of the Vehicle Code).
 - 5) Enforcing all traffic restrictions or prohibitions as would be imposed on the Pennsylvania Turnpike during a disaster emergency.

- 7. Police Powers of PENNDOT and Local Authorities
 - (a) The following are police powers that may be exercised by PENNDOT on State designated highways and by local authorities on streets or highways within the physical boundaries of their municipal jurisdictions. (See Section 6109 of the Vehicle Code):
 - 1) Regulating or prohibiting stopping, standing, or parking.
 - 2) Regulating traffic by means of police officers or official traffic control devices.
 - 3) Prohibiting or restricting the use of highways at particular places or by particular classes of vehicles whenever the highway or portion of the highway may be seriously damaged by the use or the movement of the vehicles would constitute a safety hazard.
 - 4) Adopting and enforcing such temporary or experimental regulations as may be necessary to cover emergencies or special conditions.

 - (b) These police powers could be used by the Pennsylvania State Police and municipal police to carry out an evacuation ordered by either the Governor or a municipal elected official.

8. Penalties
 - (a) Any person who refused to obey an evacuation order issued by the Governor or a municipal elected official would be subject to Section 5101 of the Crimes Code . That Section imposes a penalty for the offense of “Obstructing administration of law or other governmental functions.” The offense is defined as follows:

“A person commits a misdemeanor of the second degree if he intentionally obstructs, impairs or perverts the administration of law or other governmental function by force, violence, physical interference or obstacle, breach of official duty, or any other unlawful act,...”.
 - b) Violation of Section 5101 is a serious offense. A violator could receive a fine of up to \$5,000 and imprisonment for not more than two years for his or her failure to obey the evacuation order.

D. Movement of Authorized Persons on Commonwealth Highways

1. Purpose:
 - a) PEMA Circular 2000-12 provides guidance to all state agencies and departments and county and municipal emergency management agencies concerning which persons are authorized to travel on Commonwealth highways after the occurrence of a blizzard or major winter storm in the Commonwealth.
2. Authority:
 - a) The Governor has the authority to issue a Proclamation of Disaster Emergency for any type of natural or man-caused disaster or emergency in accordance with Section 7301(c) of the Emergency Management Services Code (35 Pa. C. S. § 7301(c)).
 - b) In the event of a declared National, State or local emergency, the Governor has the power to close or modify the travel provisions on any or all highways in the Commonwealth. The Governor’s action is effective at any or all hours of the day or night with respect to any or all types or classes or vehicles. The Governor’s authority to take this action is set forth in Section 6108 of the Vehicle Code (75 Pa. C. S. § 6108).
3. Policy:
 - a) In order to better prepare for future blizzards and major winter storms in Pennsylvania, the following emergency management policy has been adopted by the Pennsylvania Emergency Management Agency, the Pennsylvania State Police, and the Pennsylvania Department of Transportation. All county and local emergency management agencies and all municipal police

departments are encouraged to adopt and implement this policy whenever a major blizzard or snowstorm affects the health and safety of the general public living within their county or jurisdiction. This policy applies to two separate and distinct emergency management stages - the Pre-Emergency Preparedness Stage and the Disaster Response Stage.

1) Pre-emergency Preparedness Stage

(a) Short-Term Preparedness

Prior to the occurrence of any major snowfall or winter storm event, PEMA, PENNDOT, and Pennsylvania State Police officials will coordinate the issuance of travel advisories or warnings to the public media for further broadcast and dissemination to the general public. Such notices and advisories will warn the general public about the expected arrival of the winter storm, the probability of deterioration in road and travel conditions, and other related matters. The general public will be warned to stay off the highways. At the county and municipal level, county emergency management agencies and municipal police departments will be encouraged to issue similar types of travel advisories or warnings as road conditions warrant within the county or municipality.

(b) All county and municipal emergency management offices are encouraged to identify key facilities within their county which need to operate on a 24 hour basis. These facilities include hospitals, nursing homes, county prisons, electric and fuel generating plants, and certain other types of industrial and commercial facilities that maintain either manufacturing or other types of processes on a continuous 24 hour basis. The owners and operators of these key health care and industrial facilities should then be advised to prepare and adopt an Emergency Preparedness Plan for their facility which can be implemented before the occurrence of a blizzard or major winter storm. A facility's Emergency Preparedness Plan should include the following:

i. The owner or operator's designation of which facility workers or categories of workers are necessary to maintain the ongoing operation of the facility during the occurrence of the blizzard or winter storm.

- ii. The emergency plan should contain an emergency staffing pattern which uses the minimum number of employees necessary to carry on the services or functions of the facility during the blizzard or winter storm. Employees should be told that once they report to their assigned work location or station, they will be required to remain at that location until the blizzard or winter

storm conditions have subsided and the highways have been declared to be safe for travel by either the Governor or some other state or county official.

- iii. The emergency plan should contain a clear and well defined Employee Notification and Call-up System which the facility owner or operator can implement before the roads and highways become dangerous and impassable due to the winter storm conditions. Once a blizzard or winter storm strikes the area where the facility is located, it is too late to implement any type of employee call-up plan because by that time the life and safety of the facility's employees will be endangered by the hazardous or impassable road conditions created by the winter storm.

- iv. The facility owner or operator should periodically practice the implementation of the facility's Emergency Preparedness Plan so that all employees are familiar with its use.

- (c) The owner or operator of any facility mentioned above MUST implement their Emergency Preparedness Plan or employee call-up system before highways become dangerous and impassable or the Governor issues a Road Closure Order.

2) Disaster Response Stage

- (a) Should a blizzard or major winter storm comparable to the "Blizzard of 1996" strike Pennsylvania in the future, the Governor may declare a disaster emergency in all counties impacted by the blizzard or storm. In addition, the Governor may be forced to close all or most of the highways in those disaster-declared

counties in order to protect the health and safety of the general public. Should the Governor close all highways in the disaster emergency area due to a blizzard or severe winter storm, PEMA, PENNDOT, and the State Police will implement the following emergency management policies during the period of time that the highways are closed:

- i. All PEMA, PENNDOT and State Police personnel will follow the emergency

management principal that protection of the general public's health and safety is the most important issue and concern during the occurrence of the blizzard or winter storm. All other issues or concerns are of secondary importance. Those secondary issues or concerns include the desire of businesses and facilities to carry on normal, non-emergency and non-health or safety business functions and operations, the possible loss of business or individual income, the desire of individual business owners or their employees to report for work, and other non-emergency matters.

- ii. PEMA, PENNDOT and State Police personnel will recognize only individuals engaged in critical emergency services as being authorized to be on state highways during the period of time that the Governor has closed the roads to the general public. Those engaged in critical emergency services shall include the following categories of individuals:

- (1) State, city and municipal police officers.
- (2) City and municipal paid or volunteer firefighters and fire police.
- (3) State, county and municipal emergency management personnel.
- (4) Emergency medical service or rescue personnel.
- (5) Emergency communications personnel assigned to county and city 911 centers or other emergency dispatch centers.

- (6) Correctional officers and other staff assigned to state, county, and city correctional institutions.
 - (7) Personnel engaged in disseminating news and weather reports via radio, television or newspaper.
 - (8) Doctors, nurses and other medical care personnel who are traveling to a hospital, nursing home, or other health care facility or are responding to an emergency call for medical assistance.
 - (9) Electric, natural gas, telephone, water, and other public utility personnel who are responsible for maintaining, repairing, or operating a public utility system.
 - (10) Heating oil and fuel oil delivery personnel who are responding to an emergency call for fuel at a home or business.
 - (11) Maintenance personnel who are responsible for maintaining the 24 hour operation of generators, heating systems or other related systems at a business or industrial facility.
 - (12) State, county, city and municipal snow clearance personnel and their support workers. Private contractors hired by any governmental unit to plow or remove snow.
 - (13) Other persons as authorized by a State Police, city, or municipal police officer on an individual case by case basis.
- iii. The owner or operator of any critical emergency service facility should adopt a credentialing or authorization system as a part of their Emergency Preparedness Plan so that, in the event a Road Closure Order is issued by the Governor, their employees will be more easily identifiable to law enforcement personnel.
- iv. Any individual who cannot document or demonstrate, through appropriate credentials, the fact that he or she is performing critical emergency services will

be considered to be in violation of the Governor's Road Closure Order. Should the individual be stopped by a law enforcement officer or need to receive emergency medical, wrecker or other forms of emergency assistance due to his or her actions, that individual may receive a traffic citation for violating the Governor's travel ban. Each law enforcement officer should exercise his or her best judgment at the time of the incident before deciding whether to issue a traffic citation to the motorist.

- (b) As soon as weather and highway conditions improve, PEMA, PENNDOT and State Police officials will consult with the Governor's Office concerning the termination of the Governor's Road Closure Order. Once the Governor determines that the travel restrictions are no longer needed to protect the health and safety of the general public, the Governor's Road Closure Order will be terminated. PEMA will convey the Governor's decision to the public media so that it can then be broadcast and disseminated to the general public and all county emergency management agencies.

E. Compensation for Accidental Injury

1. As outlined in PEMA Directive No. _____, Compensation for Accidental Injury, Section 7706 of the Emergency Management Services Code provides for the payment of benefits to duly enrolled emergency management volunteers accidentally injured or killed while performing emergency management services or activities. The amounts of these benefits are as follows:
 - a) A sum of twenty thousand dollars (\$20,000) for accidental injury directly causing or leading to death.
 - b) A sum not exceeding fifteen thousand dollars (\$15,000) or reimbursement for medial and hospital expenses associated with accidental injury.
 - c) Weekly payments of two hundred dollars, not to exceed six months in duration, beginning on the eighth day of disability directly arising from accidental injury rendering the individual totally incapable of his/her normal gainful pursuits.
2. The principal legal restrictions governing the payment of the benefits mentioned above are:

- a) Payments may only be made to those individuals who, at the time of injury, are duly enrolled in county or local emergency management organizations as specified in Section F, Official Enrollment of Emergency Management Volunteers.
 - b) Individuals who are not eligible to receive benefits under the Workmen's Compensations Laws shall be entitled, except during a state of war or period of armed conflict within the continental limits of the United States, to benefits sustained while actually engaged in emergency management activities and services or enroute to an from emergency management tests, drills, exercises, or operations authorized by PEMA in accordance with Emergency Management Directive, _____, Training and Test Authorization Requests.
3. Benefits for accidental injuries suffered by duly enrolled emergency management volunteers are paid by PEMA on the basis of claims submitted in the manner outlined in Emergency Management Directive 2000-3.

F. Official Enrollment of Emergency Management Volunteers

1. Applicability and Scope

As outlined in PEMA Directive No. _____, Official Enrollment of Emergency Management Volunteers, Section 7706 of the Emergency Management Services Code (35 Pa. C.S. 7101 et seq.), entitles "duly enrolled" emergency management volunteers who are not eligible to receive benefits under the Workmen's Compensation Laws, except during a state of war or period of armed conflict within the Continental United States, to receive compensation benefits for accidental injuries or death sustained while engaged in emergency management activities and services or in or enroute to and from emergency management tests, drills, exercises or operations authorized by the Pennsylvania Emergency Management Agency.

2. Authority

Emergency Management Services Code, (35 Pa. C.S. Section 7701-7707)

3. General

- a) All volunteers who are actively involved in emergency management training, testing or other emergency management activities with any county or local emergency management organization, established in accordance with the provisions of the Emergency Management Services Code, are considered to be "volunteer members" of that organization.
- b) However, in order to be eligible for the accidental injury and death benefits described in Paragraph 2 above, all persons who

now serve, or subsequently desire to serve, as volunteer members of a recognized emergency management organization, must be officially enrolled as emergency management volunteers in accordance with either this Directive or a similar enrollment process established by a county.

4. Identification Cards

a) The first step in the official "enrollment" of emergency management volunteers should be the issuance of personal identification cards.

b) Each emergency management organization (i.e. county, borough, township, city) is responsible for the development and issuance of identification cards to be used by all "duly enrolled" emergency management volunteers. At a minimum,

identification cards should include the name of the emergency management organization; name and address of the enrollee; service assignment; county location; enrollment number and date; date of issue; signature of the emergency management coordinator; and an identification card expiration date.

c) When issuing the identification card, the following guidelines apply:

1) All spaces provided on the card must be completed.

2) The "Enrollment Number" must be the same number that is entered on the "Official Enrollment List" as described in subsection 5 below.

3) The "Enrollment Number" is the individual's numerical order of enrollment in the emergency management organization. There shall be no duplication among the actual enrollment numbers assigned to individuals within the same organization.

4) The local coordinator of the appropriate political subdivision within which the volunteer resides or his or her emergency management organization is located must sign each identification card. Pen and ink signatures are preferred, however, when large numbers of cards must be signed, a facsimile signature stamp may be used.

5. Official Enrollment Lists

a) The second step in the official "enrollment" of emergency management volunteers shall be the preparation of Official Enrollment Lists which contain the enrollment number, name, address, enrollment date and duty assignment of each individual enrolled in a county or local emergency management organization. For this purpose, a printed form, entitled "Official List of Duly Enrolled Emergency Management Volunteers," (Form PEMA-OEL-1) is furnished. A copy of the form is enclosed for recommended use. NOTE: A county may choose

to maintain either a hard copy of Form PEMA-OEL-1 as its official "enrollment" list or it may establish a data base which contains a similar list of its officially enrolled volunteers.

- b) The "Official List of Duly Enrolled Emergency Management Volunteers," Form PEMA-OEL-1 is hereinafter referred to as the "Official Enrollment List."
- c) The following important points apply to the preparation and filing of Official Enrollment Lists:
 - (1) County coordinators are responsible for maintaining Official Enrollment Lists for their county emergency management organization and for each political subdivision's emergency management organization within their respective county. County coordinators must strive to maintain an accurate and up-to-date "Official Enrollment List" at all times and must keep an original and two copies of the list in their offices for filing purposes.
 - (2) Local coordinators shall prepare their enrollment lists in an original and one (1) copy. The original must be maintained in a permanent file at the office of the appropriate political subdivision while a copy of the enrollment list is forwarded to their respective county coordinator.
 - (3) County coordinators must prepare an Official Enrollment List for the county permanent file based upon the enrollment lists submitted by their local coordinators.
 - (4) The Official Enrollment List shall not be considered valid unless each page is dated and signed by the enrolling county or local coordinator.
- d) County coordinators are urged to exercise care in the preparation and maintenance of their Official Enrollment Lists for their county's emergency management organizations. This is because the information contained in those lists will become critical in the certification of "duly enrolled" emergency management volunteers entitled to receive compensation benefits for accidental injury or death.
- e) In the event a duly enrolled volunteer files a claim for accidental injury or death benefits, the county coordinator shall:
 - (1) Prepare an affidavit as follows:

"I certify that the attached page ___ of the 'Official List of Duly Enrolled Emergency Management Volunteers' is a true and correct copy of the official enrollment of (name of injured), a duly enrolled

member of the (name of the emergency management organization) as filed with this office.”

- (2) The affidavit shall be attached to a photostatic or reproduced copy of the page containing the name of the injured emergency management volunteer.
- (3) The affidavit and page containing the injured volunteer's name shall be forwarded to the Pennsylvania Emergency Management Agency, together with the required claim papers. (Refer to PEMA Emergency Management Directive No. _____, Compensation for Accidental Injury.)

6. Related Information

- a) When county or local coordinators prepare or update Official Enrollment Lists, the date of a volunteer's enrollment entry must be the date of the individual's original entry into a duly enrolled status, as shown on previously existing lists.
- b) No volunteer is considered "duly enrolled" until the volunteer has been issued an official identification card and the volunteer's name has been entered on the emergency management organization's Official Enrollment List.
- c) In the event an identification card is lost, accidentally mutilated or becomes illegible, the emergency management organization's coordinator must issue a replacement card. Each replacement card must bear the same enrollment number as the original identification card.
- d) Local coordinators may obtain blank copies of Official Enrollment Lists from their respective county coordinators. County coordinators may obtain additional blank copies of Official Enrollment Lists from PEMA.

G. County Comprehensive Plan

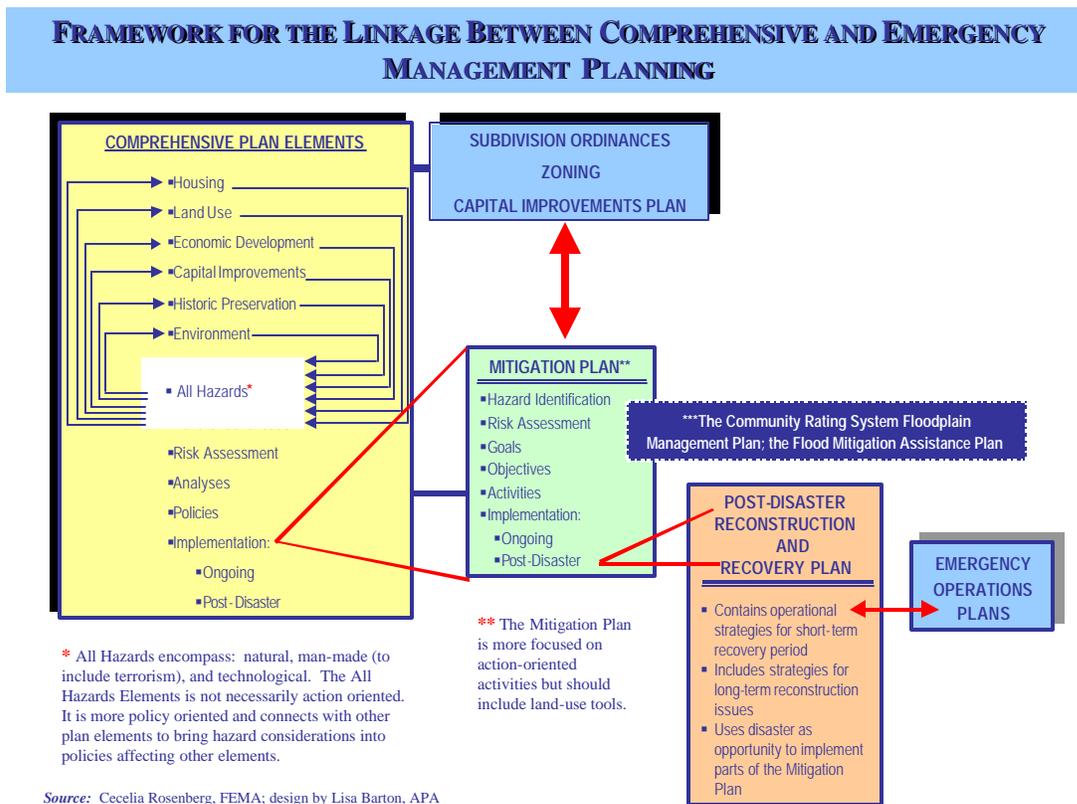
Authority

1. The Pennsylvania Municipalities Planning Code (MPC), Act 247 of 1968, as reenacted and amended, empowers counties, as well as other political jurisdictions as defined therein, to protect and promote the health and safety of its citizens by establishing general land use and growth management goals and criteria for municipalities to use in preparation of their comprehensive plan and land use regulation.
2. The County Comprehensive Plan is the official statement of public policy by the County Board of Commissioners pertaining to land use and growth management in the county. The comprehensive plan is

intended as a guide for the effective governance of the county and as a reference for needed policy changes. The comprehensive plan also serves as the basis for planning improvements and should be consistent with other planning services where the county is responsible, including the hazard mitigation function of emergency management. Figure II-1 illustrates the relationship between comprehensive and emergency management planning.

**Figure II-1
Framework for the Linkage Between Comprehensive and Emergency Management Planning**

Source: Planning for Post-Disaster Recovery and Reconstruction. Jim Schwab, et. al. American Planning Association, Planning Advisory Service Report No. 483/484. 1998.



H. County Disaster Mental Health Plan

The County Mental Health Response Plan for Disaster/Emergency is a requirement of Pennsylvania's Emergency Management Services Code. The Code states that County Emergency Operations Plans must be consistent with the Commonwealth Emergency Operations Plan.

The Mental Health Response Plan is a requirement for the Crisis Counseling Program grant (CCP). Requirements state that grant applications must be Service Provider Area specific. The County Mental Health Response Plan facilitates development of CCP grant applications for federal disaster funds for mental health services.

The plan is a requirement of the Office of Mental Health and Substance Abuse Services. The plan is necessary to provide a statewide system of mental health response and is a prerequisite for receiving disaster/emergency assistance from the Office of Mental Health and Substance Abuse Services.

The Mental Health/Mental Retardation—Drug & Alcohol Program of Montour County shall take the lead for coordinating mental health support to the community in response to an emergency or disaster of any kind within the boundaries of the county.

I. Disaster Mitigation Act of 2000

Section 322, Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Act), enacted by Section 104 of the Disaster Mitigation Act of 2000 (DMA) (P.L. 106-390) provides new and revitalized approaches to mitigation planning. Section 322 emphasizes the need for state, local, and tribal entities to closely coordinate mitigation planning and implementation efforts. It continues the requirement for a state mitigation plan as a condition of disaster assistance, and creates incentives for increased coordination and integration of mitigation activities at the state level through the establishment of criteria for two different levels of state plans, "standard" and "enhanced." States that demonstrate an increased commitment to comprehensive mitigation planning and implementation through the development of an approved state enhanced plan can increase the amount of funding available through the Hazard Mitigation Grant Program (HMGP). Section 322 also establishes a new requirement for local mitigation plans, and authorizes up to seven percent of HMGP funds available to a state to be used for development of state, local, and tribal mitigation plans.

As part of the process of implementing the DMA, FEMA prepared an Interim Final Rule (the Rule) to clearly establish the mitigation planning criteria for states and local communities. This Rule was published in the Federal Register on February 26, 2002, at 44 CFR Part 201. After an appropriate period of time, during which comments were accepted on the Rule, and the utility and practicality of these criteria can be evaluated, FEMA may revise the Interim Final Rule and publish a Final Rule. However, until such time, the Rule will serve as the governing document for DMA planning implementation.