

39B.030 Powers, authorities, rights, and duties of local director -- Development of organizational structure.

A local emergency management director, appointed pursuant to this chapter, shall have the following powers, authorities, rights, and duties:

- (1) To represent the county judge/executive, or chief executive officers in the case of counties acting jointly under KRS 39B.010, or mayor on all matters pertaining to the comprehensive emergency management program and the disaster and emergency response of the county, counties acting jointly under KRS 39B.010, urban-county, charter county, or the county or counties acting jointly and the cities therein, unless there is a local director appointed for a city in accordance with this chapter, who represents that city;
- (2) To be the executive head and chief administrative officer of the local emergency management agency, and to direct, control, supervise, and manage, the development, preparation, organization, administration, operation, implementation, and maintenance of the comprehensive emergency management program of the county, counties acting jointly under KRS 39B.010, urban-county government, charter county government, or the county or counties acting jointly and the cities therein, and to coordinate all local disaster and emergency response, unless there is a local director appointed for a city in accordance with this chapter, who represents that city;
- (3) To develop and maintain a local emergency operations plan entitled "county emergency operations plan," or "joint counties emergency operations plan," or "city emergency operations plan," or "city/county emergency operations plan," as appropriate, the provisions of which shall establish the organizational structure to be utilized by local government to manage disaster and emergency response, and set forth the policies, procedures, and guidelines for the coordination of all disaster and emergency response in the county and all the cities therein for an emergency, declared emergency, disaster, or catastrophe. The local emergency operations plan shall be developed consistent with the appropriate provisions of the Kentucky emergency operations plan, the provisions of KRS Chapters 39A to 39F, planning guidance issued by the division, and administrative regulations promulgated by the division. The local emergency operations plan shall be officially adopted by signed executive order of the county judge/executive or mayor, or in the case of counties acting jointly under KRS 39B.010, by all chief executive officers of the participating counties. The executive order shall be filed with the office of the clerk for the local jurisdiction and a copy placed in the local emergency operations plan. A copy of the local emergency operations plan, and all revisions or updates thereto, shall be submitted by the local director to the Division of Emergency Management for concurrence review and reference. The local emergency operations plan shall be a component of the integrated emergency management system of the Commonwealth, and subject to the Kentucky Emergency Operations Plan, shall be the primary local strategic planning document governing the coordination of all disaster and emergency response in the county, counties acting jointly under KRS 39B.010, city, or the county or counties acting jointly and the cities therein, and

shall be applicable to, utilized by, and adhered to by, all local emergency response departments, agencies, and officials of the local disaster and emergency services organization in the county and the cities therein. The local emergency operations plan shall be updated not less than annually;

- (4) To establish and maintain a local disaster and emergency services organization in accordance with the local emergency operations plan, the Kentucky Emergency Operations Plan, and the provisions of KRS 39B.050;
- (5) To notify the county judge/executive, mayor, or executive authority of other local governments and the Division of Emergency Management immediately of the occurrence, or threatened or impending occurrence, of any emergency or disaster, and recommend any emergency actions which should be executed;
- (6) To be the chief advisor to, and the primary on-scene representative of, the county judge/executive, mayor, or executive authority of other local governments in the event of occurrence of any emergency, declared emergency, disaster, or catastrophe within the local jurisdiction;
- (7)
 - (a) To respond and have full access to the scenes of an emergency, declared emergency, disaster, or catastrophe to immediately investigate, analyze, or assess the seriousness of all situations; to coordinate the establishment and operation of a local incident command or management system; to execute the local emergency operations plan, as appropriate; to activate the local emergency operations center or on-scene command post; to convene meetings, gather information, conduct briefings, and to notify the division of on-going response actions; and fully expedite and coordinate the disaster and emergency response of all local public and private agencies, or to have a staff assistant do so;
 - (b) At a declared emergency or declared disaster, at the direction of the county judge/executive or mayor, as appropriate, to take or direct immediate actions to protect public safety; however, this paragraph shall not preclude a local director from providing any assistance that he is requested to, and is able to, provide at any emergency.
- (8) To act as an official representative of the division in emergency situations when specifically requested by the director;
- (9) To report directly to the county judge/executive, mayor, or executive authority of other local governments, act in an official policy-making capacity when carrying out the duties of local emergency management director, and exercise full signatory authority for execution of all contracts, agreements, or other official documents pertaining to the administration and operation of the local emergency management agency and program;
- (10) To direct or supervise all paid or volunteer emergency management staff assistants or other local emergency management agency workers, and all operating units or personnel officially appointed and affiliated with the local disaster and emergency services organization pursuant to KRS 39B.070;
- (11) To prepare and submit regular or scheduled program activity reports to the area

manager of the division and local chief executives;

- (12) To execute bond, if appropriate, in the amount determined by the appointing authorities;
- (13) Annually, by the first day of March, to prepare and submit a program budget request to the county judge/executive and mayor;
- (14) Annually, by the fifteenth day of July, to prepare and submit to the division a locally-approved, fiscal year program paper and budget request;
- (15) To perform all administrative, organizational, or operational tasks required by the provisions of this chapter, or administrative regulations, or program guidance pertaining thereto;
- (16) To be a registered member of the Kentucky Emergency Management Association or other professional emergency management organization; and
- (17) To carry out all other emergency management-related duties as required by KRS Chapters 39A to 39F, administrative regulations, or local orders or ordinances.

Effective: July 15, 2014

History: Amended 2014 Ky. Acts ch. 99, sec. 5, effective July 15, 2014. -- Created 1998 Ky. Acts ch. 226, sec. 31, effective July 15, 1998.