

*Ordinance of the County Board of  
Kankakee County, Illinois*

**RE: AN ORDINANCE RELATING TO COUNTY EMERGENCY  
MANAGEMENT ACT (EMA)**

**WHEREAS**, the 85th General Assembly adopted Public Act 85-1027 which enacted the Illinois Emergency Management Agency Act and repeals the Illinois Emergency Services and Disaster Agency Act of 1975, and

**WHEREAS**, Kankakee County in accordance with The Illinois Emergency Services and Disaster Agency Act of 1975 enacted an Ordinance on 2-10-1976 creating the Kankakee County Emergency Services and Disaster Agency (ESDA), and

**WHEREAS**, it is necessary that Kankakee County modify the existing ordinance to comply with P.A. 85-1027.

**NOW, THEREFORE BE IT ORDAINED**, by this County Board of Kankakee County, Illinois that the following be enacted to replace “an Ordinance Relating to County ESDA” of 2-10-1976:

**Section 1.** There is hereby created the Kankakee County Emergency Management Agency (EMA) to prevent, minimize, repair and alleviate injury or damage resulting from a disaster caused by enemy attack, sabotage, or other hostile action, or from natural or man-made disaster, in accordance with “The Illinois Emergency Services and Disaster Act of 1975”, now referred to as The Illinois Emergency Management Agency Act.

This EMA shall consist of the Director/ Coordinator and such additional members as may be selected by the Director/ Coordinator.

Ref.: 20 ILCS 3305/2(a)(1).

**Section 2.** The Director of the county EMA shall be appointed by the Chairman of the County Board, in the same manner as heads of regular department heads, and shall serve until removed by the same.

The Director shall have direct responsibility for the organization, administration, training, and operation of the EMA, subject to the direction and control of Chairman of the County Board as provided by statute.

In the event of the absence, resignation, death or inability to serve as the Director, the Chairman of the County Board or any person designated by him, shall be and act as Director until a new appointment is made as provided in this ordinance.

Ref.: 20 ILCS 3305/10(i)

**Section 3.** The County EMA shall perform such EMA functions within the county as shall be prescribed in the and by the State IEMA plan and program prepared by the Governor, and such orders, rules and regulations as may be promulgated by the Governor, and in addition shall perform such duties outside the corporate limits as may be required pursuant to any Mutual Aid agreement with any other political subdivision, municipality, or quasi-municipality entered into as provided by the "Illinois Emergency Management Agency Act."

**Section 4.** All or any members of the county organization may be designated as members of a Mobile Support Team created by the Director of the State of Illinois IEMA as provided by law.

The leader of such Mobile Support Teams shall be designated by the Director/Coordinator of the County EMA organization.

Any member of a Mobile Support Team who is a county employee or officer while serving on call to duty by the Governor, or State Director, shall receive the compensation and have the powers, duties, right, and immunities incident to such employment or office. Any such member who is not a paid officer or employee of the county, while so serving, shall receive from the state reasonable compensation as provided by law.

Ref: 20 ILCS 3305/8(b)

**Section 5.** The Director/ Coordinator of EMA may negotiate Mutual Aid agreements with other counties or political subdivisions of the state, but no such agreements shall be effective until it has been approved by the County Board and by the State Director of IEMA by each of the political subdivisions.

Ref: 20 ILCS 3305/13

**Section 6.** If the Governor proclaims that a disaster emergency exists in the event of actual enemy attack upon the United States or occurrence within the State of Illinois of a major disaster resulting from enemy sabotage or other hostile action, or man-made or natural disaster, it shall be the duty of the county EMA to cooperate fully with the State IEMA and with the Governor in the exercise of emergency powers as provided by law.

**Section 7.** Members of the EMA who are paid employees or officers of the county, if called for training by the State Director of IEMA shall receive for the time spent in such training the same rate of pay as is attached to their position held; members who are not such county employees or officers shall receive for such training time such compensated as may be established by the Kankakee County Board.

**Section 8.** The State Treasurer may receive and allocate to the appropriate fund, and reimbursement by the state to the county for expenses incident to training members of the EMA prescribed by the State Director of IEMA, compensation for services and expenses of member of a Mobile Support Team serving outside the county in response to a call by the Governor or State Director of IEMA, as provided by law, and any other reimbursement made by the state incident of EMA activities as provided by law.

**Section 9.** The County Board may, on recommendation of the county Director/Coordinator of EMA, authorize any purchase or contracts necessary to place the county in a position to combat effectively any disaster resulting from the explosion of any nuclear or other bomb or missile, and to protect the public health and safety, protect property, and provide emergency assistance to victims in the case of such disaster, or from man-made or natural disasters.

In the event of an enemy-caused or other disaster, the county Director of EMA is authorized, on behalf of the county, to procure such services, supplies, equipment or material as may be necessary for such purposes, in view of the exigency without regard to the statutory procedures or formalities normally prescribed by law pertaining to county contracts or obligations, as authorized by "Illinois Emergency Management Act", provided that if the County Board meets at such time he shall act subject to the directions and restrictions imposed by that body.

**Section 10.** Every person appointed to serve in any capacity in the county EMA organization shall, before entering upon his duties, subscribe the following oath, which shall be filed with the Director or Coordinator of the County EMA:

"I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the State of Illinois, and the territory, institutions, and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I nor have I been a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence; and that during such time as I am affiliated with the Kankakee County EMA organization, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence."

Ref: 20 ILCS 3305/20

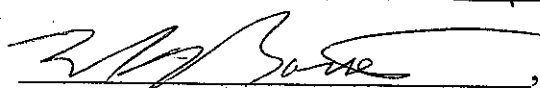
**Section 11.** The Chairman of the County Board is authorized to designate space in a county building, or elsewhere, as may be provided for by the County Board for the County EMA as its office.


**Section 12.** The County Board may make an appropriation for EMA purposes in the manner provided by law.

**Section 13.** This ordinance shall be in force from and after its passage and approval, as provided by law.

Passed this 11<sup>th</sup> day of September, 20 12.

Approved this 11<sup>th</sup> day of September, 20 12.

 \_\_\_\_\_, Chairman, Kankakee County Board

Attest:   
Clerk