

**CITY OF BALTIMORE
COUNCIL BILL 21-0074
(First Reader)**

Introduced by: Councilmembers Conway, Torrence, Porter

Introduced and read first time: May 3, 2021

Assigned to: Public Safety and Government Operations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Fire Department, Department of Finance, Mayor's Office of Emergency Management, City Administrator

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Office of Emergency Management – Independent Agency**

3 FOR the purpose of repealing Article 1, Subtitle 18 {"Disaster Control and Civil Defense"} as
4 obsolete; establishing an Office of Emergency Management as an independent agency;
5 defining certain terms; providing for the appointment of an Executive Director of the Office;
6 setting forth certain duties of the Executive Director; providing for a staff and budget for the
7 Office; requiring the Office to include specific Emergency Support Functions in the
8 Emergency Operations Plan; requiring the Office to coordinate with certain City agencies in
9 writing the Emergency Operations Plan; requiring the Office to update the City Emergency
10 Operations Plan quadrennially and submit the updated Plan and a memorandum regarding
11 changes made to the Plan to the Mayor and the City Council; requiring the Office to report
12 annually to the Mayor and the City Council on certain activities and metrics; and providing
13 for a special effective date.

14 BY repealing

15 Article 1 - Mayor, City Council, and Municipal Agencies
16 Subtitle 18. Disaster Control and Civil Defense, in its entirety.
17 Baltimore City Code
18 (Edition 2000)

19 BY adding

20 Article 1 - Mayor, City Council, and Municipal Agencies
21 Sections 18-1 to 18-7, to be under the new subtitle,
22 "Subtitle 18. Office of Emergency Management"
23 Baltimore City Code
24 (Edition 2000)

25 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
26 City Code Article 1, Subtitle 18 {"Disaster Control and Civil Defense"} is repealed, in its
27 entirety.

28 **SECTION 2. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
29 Laws of Baltimore City read as follows:

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

SUBTITLE 18. OFFICE OF EMERGENCY MANAGEMENT

§ 18-1. DEFINITIONS.

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) *COMMUNITY EMERGENCY RESPONSE TEAM; CERT.*

“COMMUNITY EMERGENCY RESPONSE TEAM” OR “CERT” MEANS THE PROGRAM THAT EDUCATES VOLUNTEERS ABOUT DISASTER PREPAREDNESS REGARDING LIKELY HAZARDS IN THE VOLUNTEERS’ REGION AND TRAINS VOLUNTEERS IN BASIC DISASTER RESPONSE SKILLS, SUCH AS FIRE SAFETY, LIGHT SEARCH AND RESCUE, TEAM ORGANIZATION, AND DISASTER MEDICAL OPERATIONS.

(C) *CONTINUITY OF OPERATIONS PLANNING; COOP.*

“CONTINUITY OF OPERATIONS PLANNING” OR “COOP” MEANS THE CREATION OF POLICY AND GUIDANCE ENSURING CRITICAL FUNCTIONS OF AN ORGANIZATION CONTINUE DURING AN EMERGENCY.

(D) *EMERGENCY OPERATIONS PLAN.*

“EMERGENCY OPERATIONS PLAN” MEANS THE CITY’S PRIMARY RESPONSE AND RECOVERY PLAN FOR EMERGENCIES.

(E) *EMERGENCY SUPPORT FUNCTION.*

“EMERGENCY SUPPORT FUNCTION” MEANS A FUNCTIONAL AREA OF RESPONSE ACTIVITY ESTABLISHED TO FACILITATE COORDINATED DELIVERY OF ASSISTANCE REQUIRED TO SAVE LIVES, PROTECT PROPERTY AND HEALTH, MAINTAIN PUBLIC SAFETY, AND OTHERWISE RESPOND TO EMERGENCY CONDITIONS.

(F) *EXECUTIVE DIRECTOR.*

“EXECUTIVE DIRECTOR” MEANS THE EXECUTIVE DIRECTOR OF THE BALTIMORE OFFICE OF EMERGENCY MANAGEMENT.

(G) *OFFICE.*

“OFFICE” MEANS THE BALTIMORE CITY OFFICE OF EMERGENCY MANAGEMENT.

§ 18-2. OFFICE ESTABLISHED.

THERE IS A BALTIMORE CITY OFFICE OF EMERGENCY MANAGEMENT.

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§ 18-3. EXECUTIVE DIRECTOR: APPOINTMENT.

THE MAYOR SHALL NOMINATE AN EXECUTIVE DIRECTOR FOR THE OFFICE FOR APPOINTMENT BY THE GOVERNOR.

§ 18-4. EXECUTIVE DIRECTOR: POWERS AND DUTIES.

THE EXECUTIVE DIRECTOR SHALL:

- (1) PREPARE A COMPREHENSIVE EMERGENCY MANAGEMENT PLAN AND PROGRAM THAT CORRESPOND WITH STATE AND FEDERAL EMERGENCY MANAGEMENT PLANS AND PROGRAMS AS WELL AS THE EMERGENCY MANAGEMENT PLANS AND PROGRAMS OF NEARBY JURISDICTIONS;
- (2) ORGANIZE, EQUIP, AND REGULARLY TRAIN EMPLOYED PERSONNEL OF THE GOVERNMENT OF BALTIMORE CITY AND CERT MEMBERS FOR SERVICE IN EMERGENCY MANAGEMENT OPERATIONS;
- (3) CONDUCT STUDIES AND SURVEYS OF THE RESOURCES AND CAPABILITIES THAT THE CITY HAS TO RESPOND TO NATURAL OR MANMADE DISASTERS;
- (4) DEVELOP AND ENTER INTO MUTUAL AID AGREEMENTS WITH THE STATE AND NEARBY JURISDICTIONS AND POLITICAL SUBDIVISIONS REGARDING THE EXCHANGE OF FOOD, CLOTHING, MEDICINES, EMERGENCY HOUSING, ENGINEERING SERVICES, POLICE SERVICES, MEDICAL AND NURSING SERVICES, FIREFIGHTING, RESCUE, TRANSPORTATION, AND CONSTRUCTION SERVICES AND EQUIPMENT, AND OTHER SUPPLIES, EQUIPMENT, FACILITIES, PERSONNEL, AND SERVICES AS MAY BE NEEDED;
- (5) COOPERATE WITH GOVERNMENTAL AND NON-GOVERNMENTAL AGENCIES, ORGANIZATIONS, AND OTHER ENTITIES FOR DISASTER AND EMERGENCY MANAGEMENT WITHIN THE CITY;
- (6) ASSIST CITY AGENCIES IN DEVELOPING THEIR COOP PLANS AND REVIEW THE COOP PLANS OF EACH CITY AGENCY AT LEAST BIENNIALY;
- (7) UPDATE THE EMERGENCY OPERATIONS PLAN AT LEAST QUADRENNIALLY AND PROVIDE THE MAYOR AND CITY COUNCIL WITH THE UPDATED PLAN AS WELL AS A MEMORANDUM THAT DETAILS THE CHANGES MADE IN THE PLAN;
- (8) COORDINATE EMERGENCY RESPONSE EFFORTS WITH OTHER CITY AGENCIES; AND
- (9) PERFORM OTHER FUNCTIONS AS MAY BE ASSIGNED BY THE MAYOR.

§ 18-5. STAFF AND BUDGET.

(A) *STAFF.*

THE OFFICE MAY EMPLOY STAFF IN ACCORDANCE WITH THE ORDINANCE OF ESTIMATES.

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1 (B) *BUDGET.*

2 THE OFFICE MAY EXPEND FUNDS AUTHORIZED IN THE ORDINANCE OF ESTIMATES OR ANY
3 SUPPLEMENTAL APPROPRIATIONS.

4 **§ 18-6. EMERGENCY OPERATIONS PLAN.**

5 (A) *IN GENERAL.*

6 THE EMERGENCY OPERATIONS PLAN MUST INCLUDE THE FOLLOWING EMERGENCY
7 SUPPORT FUNCTIONS:

- 8 (1) EMERGENCY SUPPORT FUNCTION 1: TRANSPORTATION;
- 9 (2) EMERGENCY SUPPORT FUNCTION 2: COMMUNICATION;
- 10 (3) EMERGENCY SUPPORT FUNCTION 3: PUBLIC WORKS AND ENGINEERING;
- 11 (4) EMERGENCY SUPPORT FUNCTION 4: FIREFIGHTING;
- 12 (5) EMERGENCY SUPPORT FUNCTION 5: INFORMATION AND PLANNING;
- 13 (6) EMERGENCY SUPPORT FUNCTION 6: SHELTERING AND MASS CARE;
- 14 (7) EMERGENCY SUPPORT FUNCTION 7: RESOURCE SUPPORT;
- 15 (8) EMERGENCY SUPPORT FUNCTION 8: HEALTH AND MEDICAL;
- 16 (9) EMERGENCY SUPPORT FUNCTION 9: SEARCH AND RESCUE;
- 17 (10) EMERGENCY SUPPORT FUNCTION 10: HAZARDOUS MATERIALS RESPONSE;
- 18 (11) EMERGENCY SUPPORT FUNCTION 11: PUBLIC INFORMATION AND WARNING;
- 19 (12) EMERGENCY SUPPORT FUNCTION 12: ENERGY;
- 20 (13) EMERGENCY SUPPORT FUNCTION 13: LAW ENFORCEMENT;
- 21 (14) EMERGENCY SUPPORT FUNCTION 14: RECOVERY;
- 22 (15) EMERGENCY SUPPORT FUNCTION 15: DONATIONS AND VOLUNTEER
23 MANAGEMENT; AND
- 24 (16) EMERGENCY SUPPORT FUNCTION 16: ANIMAL PROTECTION.

25 (B) *COLLABORATION.*

26 ALL CITY AGENCIES SHALL PROVIDE THE OFFICE WITH NECESSARY INFORMATION FOR THE
27 OFFICE TO COMPLETE THE EMERGENCY OPERATIONS PLAN.

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1 (C) *DUE DATE OF EMERGENCY OPERATIONS PLAN AND RELATED MEMORANDUM.*

2 THE QUADRENNIALLY-REVISED EMERGENCY OPERATIONS PLAN AND RELATED
3 MEMORANDUM REQUIRED UNDER § 18-4(7) OF THIS SUBTITLE MUST BE SUBMITTED TO THE
4 MAYOR AND CITY COUNCIL ON OR BEFORE JANUARY 1, 2023, AND IN 4-YEAR INTERVALS
5 ON OR BEFORE JULY 1 FOLLOWING THE INITIAL JANUARY 1, 2023 DUE DATE.

6 **§ 18-7. ANNUAL REPORT.**

7 (A) *IN GENERAL.*

8 ON OR BEFORE JANUARY 31 OF EACH YEAR, THE EXECUTIVE DIRECTOR MUST SUBMIT AN
9 ANNUAL REPORT TO THE MAYOR AND CITY COUNCIL.

10 (B) *CONTENTS.*

11 THE REPORT SHALL INCLUDE:

- 12 (1) THE NUMBER OF EMERGENCY INCIDENTS THE OFFICE RESPONDED TO IN THE
13 PREVIOUS YEAR;
- 14 (2) THE NATURAL AND MANMADE EMERGENCIES THAT OCCURRED IN THE CITY DURING
15 THE PREVIOUS YEAR;
- 16 (3) THE SPECIAL EVENTS FOR WHICH THE OFFICE PROVIDED SUPPORT SERVICES
17 DURING THE PREVIOUS YEAR;
- 18 (4) THE GRANTS THE OFFICE WAS AWARDED DURING THE PREVIOUS YEAR, INCLUDING
19 THE DOLLAR AMOUNT OF EACH GRANT; AND
- 20 (5) THE TRAININGS, EXERCISES, AND COMMUNITY OUTREACH ACTIVITIES THE OFFICE
21 CONDUCTED DURING THE PREVIOUS YEAR.

22 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
23 are not law and may not be considered to have been enacted as a part of this or any prior
24 Ordinance.

25 **SECTION 4. AND BE IT FURTHER ORDAINED,** That it is the intent of the City Council that the
26 Office of Emergency Management is to be the successor entity of the Mayor's Office of
27 Emergency Management and that all current employees of the Mayor's Office of Emergency
28 Management are transferred to the Office of Emergency Management. The Council further
29 intends that any current employee that may be transferred to the Office of Emergency
30 Management as a result of this Ordinance shall be transferred without diminution of that
31 employee's rights, benefits, employment, or retirement status.

32 **SECTION 5. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on July 1,
33 2022.