

29C.9 Local emergency management commissions.

1. The county boards of supervisors, city councils, and the sheriff in each county shall cooperate with the homeland security and emergency management division of the department of public defense to establish a commission to carry out the provisions of this chapter.

2. The commission shall be composed of a member of the board of supervisors, the sheriff, and the mayor from each city within the county. A commission member may designate an alternate to represent the designated entity. For any activity relating to section 29C.17, subsection 2, or chapter 24, participation shall only be by a commission member or a designated alternate that is an elected official from the same designated entity.

3. The name used by the commission shall be (county name) county emergency management commission. The name used by the office of the commission shall be (county name) county emergency management agency.

4. For the purposes of this chapter, a commission is a municipality as defined in section 670.1.

5. The commission shall model its bylaws and conduct its business according to the guidelines provided in the state division's administrative rules.

6. The commission shall determine the mission of its agency and program and provide direction for the delivery of the emergency management services of planning, administration, coordination, training, and support for local governments and their departments. The commission shall coordinate its services in the event of a disaster. The commission may also provide joint emergency response communications services through an agreement entered into under chapter 28E.

7. The commission shall delegate to the emergency management coordinator the authority to fulfill the commission duties as described in the division's administrative rules. Each commission shall appoint a local emergency management coordinator who shall meet the qualifications specified in the administrative rules by the administrator of the homeland security and emergency management division. Additional emergency management personnel may be appointed at the discretion of the commission.

8. The commission shall develop, adopt, and submit for approval by local governments within the commission's jurisdiction, a comprehensive emergency plan which meets standards adopted by the division in accordance with chapter 17A. If an approved comprehensive emergency plan has not been prepared according to established standards and the administrator of the homeland security and emergency management division finds that satisfactory progress is not being made toward the completion of the plan, or if the administrator finds that a commission has failed to appoint a qualified emergency management coordinator as provided in this chapter, the administrator shall notify the governing bodies of the counties and cities affected by the failure and the governing bodies shall not appropriate any moneys to the local emergency management fund until the comprehensive emergency plan is prepared and approved or a qualified emergency management coordinator is appointed. If the administrator finds that a commission has appointed an unqualified emergency management coordinator, the administrator shall notify the commission citing the qualifications which are not met and the commission shall not approve the payment of the salary or expenses of the unqualified emergency management coordinator.

9. The commission shall encourage local officials to support and participate in exercise programs which test proposed or established jurisdictional emergency plans and capabilities. During emergencies when lives are threatened and extensive damage has occurred to property, the county and all cities involved shall fully cooperate with the emergency management agency to provide assistance in order to coordinate emergency management activities including gathering of damage assessment data required by state and federal authorities for the purposes of emergency declarations and disaster assistance.

10. Two or more commissions may, upon review by the state administrator and with the approval of their respective boards of supervisors and cities, enter into agreements pursuant

to chapter 28E for the joint coordination and administration of emergency management services throughout the multicounty area.

[C62, §28A.7; C66, 71, 73, 75, §29C.7; C77, 79, 81, §29C.9]

83 Acts, ch 123, §40, 209; 92 Acts, ch 1139, §10; 2003 Acts, ch 179, §157; 2007 Acts, ch 149, §1; 2011 Acts, ch 69, §5; 2012 Acts, ch 1071, §1

Referred to in §8D.13, 29C.6, 29C.17, 29C.22, 331.381, 331.653

[T] Subsection 2 amended