

Dane County/Madison Metropolitan Area
Evacuation Plan
Appendix K
Sample Evacuation Order

April 2009

H:\Emerplan\Evacuation Planning\Plan\Appendix K - Evac
Declaration Process\Appendix K - Sample Evac Order.doc

Evacuation Declaration Process

Including Sample Emergency Declaration, Evacuation Proclamation, and Resolution adopting Proclamation

PURPOSE

This document can serve as a template for local units of government and their first response organizations to legally authorize an evacuation. Additionally it contains guidance to support the issuance of public information.

An evacuation order is a public document, this template is intended to assist local units of government by providing an outline for an emergency evacuation ordinance, resolution, or proclamation. The ordinance / resolution / proclamation is to serve as documentation for those ordering the evacuation. The evacuation order is not intended to take the place of the appropriate messages that should accompany and facilitate an evacuation.

AUTHORITY

An order to evacuate incorporated areas may be issued through local ordinance, resolution, or proclamation by local officials and/or local governing bodies of any Wisconsin city, village, or town. Dane County has the authority to order an evacuation in unincorporated areas of Dane County. Additionally, during a state of emergency, the Governor can issue such orders as he or she deems necessary, for the security of persons or property.

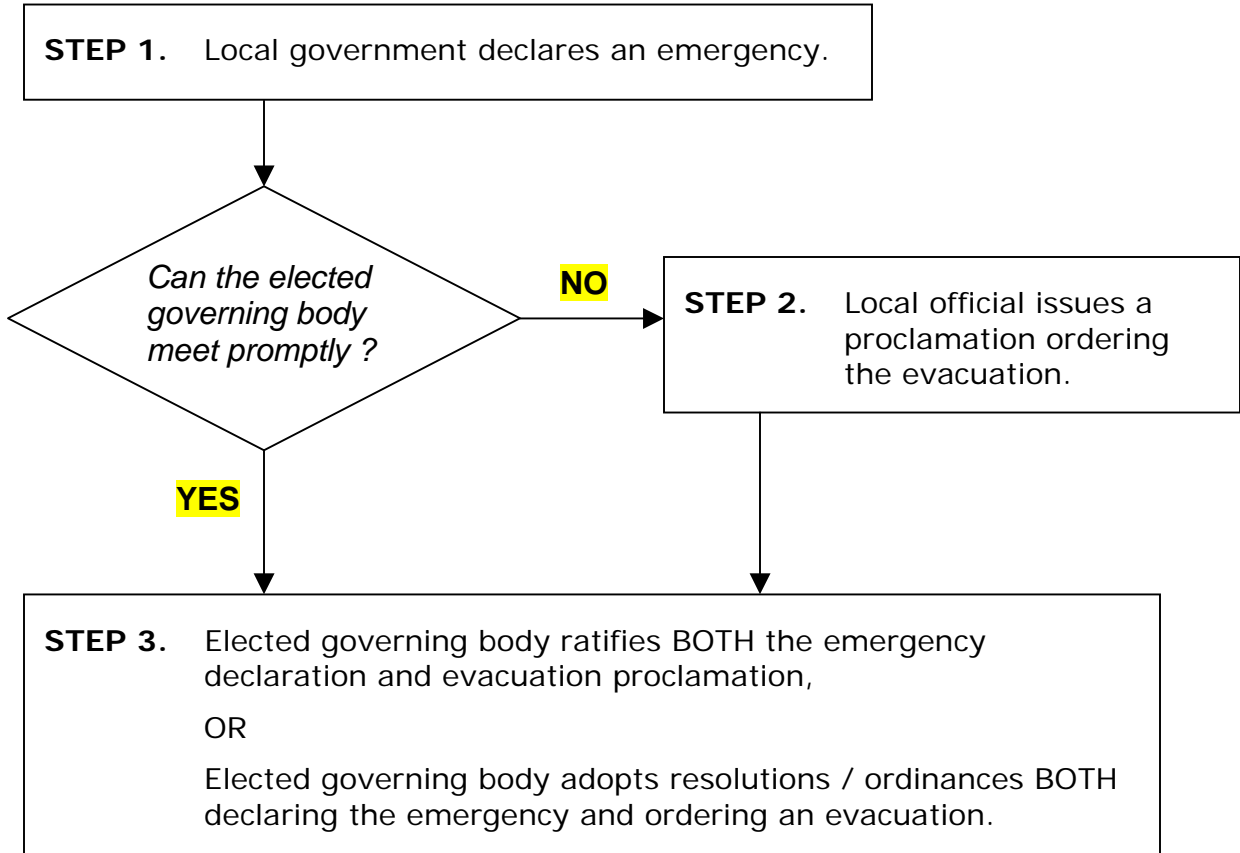
See Section VII of this plan for a description of the legal authorities to order and evacuation.

ASSUMPTIONS

- Local units of government, including units of law enforcement and fire protection, will generally make the determination on whether to evacuate communities prior to, during, or following an emergency on a case-by-case basis.
- The decision to evacuate will depend entirely upon the nature, scope, and severity of the emergency; the number of people affected; and what actions are necessary to protect the public.
- In certain circumstances, Dane County may make recommendations as to whether a jurisdiction should evacuate and will assist evacuation coordination efforts.
- An evacuation is “necessary and expedient for the health, safety, welfare, and good order...for the good of the community.”

OPERATIONS

The following process outlines the legal procedures for ordering / supporting an order to evacuate:



This legal process is outlined in Wis. Stat. §166.23:

166.23(1) – "...the governing body of any county, city, village, or town is empowered to declare, by ordinance or resolution, an emergency..."

166.23(2) – "The emergency power of the governing body...includes the general authority to order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, welfare, and good order of the county, city, village, or town in the emergency..."

166.23(3) – "If, because of emergency conditions, the governing body of the county, city, village, or town is unable to meet with promptness, the chief executive officer or acting chief executive officer ... shall exercise by proclamation all the powers conferred upon the governing body under sub. (1) or (2) which within the discretion of the officer appear necessary and expedient ... The proclamation shall be subject to ratification, alteration, modification, or repeal by the governing body as soon as that body can meet, but the subsequent action taken by the governing body shall not affect the prior validity of the proclamation."

There is no statutory authority in Wisconsin to forcibly order persons to leave their residences. But once evacuated, authorities may restrict re-entry to specific hazardous areas. Persons, although legally not required to comply with an evacuation order, should be informed that:

1. The evacuation is the best option for their protection,
2. Failure to evacuate (non-compliance) could result in serious injury or death, and
3. Future opportunities to evacuate may not exist.

STEP 1 – Declare an Emergency

Note – An emergency needs to be declared to allow local officials the ability to "...order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, welfare and good order of the county, city, village, or town in the emergency..." (WI SS 166.23(2)).

SAMPLE TEXT:

Declaration of a State of Emergency

Whereas, a severe [redacted] event has occurred in the City/Village/Town of [redacted] effecting [redacted] (i.e. - several neighborhoods, blocks, municipal systems, etc.); and

Whereas, emergency conditions exist that requires a multi-agency, multi-jurisdictional response; and

Whereas, a number of injuries have occurred and ___ death(s) has been contributed to the incident; and

Whereas, the disaster has caused the commitment of all available resources to the effected areas; and

Whereas, the City/Village/Town of [redacted] is asking for Dane County assistance and requests that the county seek state and federal disaster assistance on its behalf; and

Whereas, the State of Emergency shall expire [redacted] hours after issuance; and

Be It Resolved to protect the public peace, health and safety, preserve lives and property, economic stability, and insure cooperation and coordination, a Declaration of a Local State of Emergency is imposed; and

Be It Further Resolved that the City/Village/Town of [redacted] Board of Supervisors/Trustees/Alderspersons be notified by the filing of the written declaration with the City/Village/Town Clerk on the first regular business day following the declaration and the City/Village/Town Clerk shall present the written declaration to the City/Village/Town of [redacted] Board of Supervisors/Trustees/Alderspersons for ratification at its first meeting following such a declaration.

Set forth this day, the ___ of ____ 20XX.


XXXXXX

City / Village / Town Official

XXXXXX

Chairman – Board of XXXX

Example:

	COUNTY OF DANE		Emergency Planning Division (608) 266-4330
	Department of Em	E	ment
	KATHY M. KRUSIEC, Director (608) 267-1591		Emergency Medical Services Division (608) 266-4387
			Hazardous Materials Planning Division (608) 266-9051

Declaration of a State of Emergency

Whereas, recent heavy rains have created unsafe conditions effecting numerous townships, villages, cities throughout Dane County. Roads have been heavily effected along with residential flooding. Streams and waterways are at or over their boundaries. Soils are saturated creating concerns. Additional rain is predicted.

Whereas, emergency conditions exist that requires a multi-agency, multi-jurisdictional response; and

Whereas, evacuations are being implemented in effected communities; and

Whereas, concerns for dam failures are being monitored; and

Whereas, the disaster has caused the effected areas to commit all available resources; and

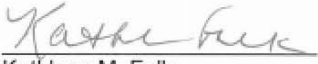
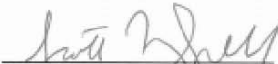
Whereas, the **County of Dane** is requests that the governor seek a Presidential Disaster Declaration on its behalf; and

Whereas, the State of Emergency shall expire **forty-eight** hours after issuance; and

Be It Resolved to protect the public peace, health and safety, preserve lives and property, economic stability, and insure cooperation and coordination a Declaration of a Local State of Emergency is imposed; and

Be It Further Resolved that the **Dane County Board of Supervisors** be notified by the filing of the written declaration with the **County** Clerk on the first regular business day following the declaration and the **County** Clerk shall present the written declaration to the **Dane County Board of Supervisors** for ratification at its first meeting following such a declaration.

Set forth this day, the 9th of June 2008.

 Kathleen M. Falk Dane County Executive	L	 Scott McDonell Dane County Board Chair
	E	

Public Safety Building, Room 2107, 115 West Doty Street, Madison, WI 53703-3202
TDD: (608) 267-1597 • FAX: (608) 266-4500

STEP 2 – Issue a Proclamation ordering an Evacuation

Note- The presumption that a written proclamation is needed to expedite legal support for an evacuation is based on the idea that the local governing body can not meet with promptness to pass a resolution / ordinance ordering an evacuation.

SAMPLE TEXT:

Proclamation of Order to Evacuate

Recent events including [redacted] have resulted in [redacted] effecting the following areas: [redacted]. The effects of [redacted] are [redacted]. Further situational-descriptive information goes here (i.e. concerns for dam failures are being monitored).

Under Wisconsin State Statute 166.23, elected officials of counties, cities, villages, and towns are granted “the general authority to order, whatever is necessary and expedient for the health, safety, welfare and good order of the county, city, village, or town in the emergency...”

It is hereby proclaimed that EVACUATION of all / part of the [redacted] City/Village/Town of [redacted] is necessary and expedient for the health, safety, welfare and good order to protect the public peace, preserve lives and property, and economic stability.

NOW THEREFORE, The [redacted] City / Village / Town of [redacted] issues this **Order to Evacuate** for the following area(s):

[redacted] N, E, S, & W boundaries / Areas directly abutting XXXX / Physical boundary description / Areas apparent to be impacted by the hazard; and


Be it further Ordered that the [redacted] City/Village/Town of [redacted] Board of Supervisors/Trustees/ Alderpersons be notified by the filing of the written declaration with the [redacted] City/Village/Town Clerk on the first regular business day following the declaration and the [redacted] City/Village/Town Clerk shall present the written proclamation to the [redacted] City/Village/Town of [redacted] Board of Supervisors/Trustees/ Alderpersons for ratification at its first meeting following such a declaration.

Set forth this day, the [redacted] of [redacted], 20XX.

[redacted]
City / Village / Town Official

[redacted]
Chairman – Board of [redacted]

Example:

	COUNTY OF DANE		Emergency Planning Division (608) 266-4330
	Department of Em	E	ment
	KATHY M. KRUSIEC, Director (608) 267-1591		Emergency Medical Services Division (608) 266-4387
			Hazardous Materials Planning Division (608) 266-9051

Proclamation of Order to Evacuate

Recent events including *a tornado from recent severe storms* have resulted in *severe property damage, utility disruption, and roadway destruction* effecting the following areas: *Properties encompassed by the Towns of Bristol, York, Sun Prairie, and Medina*. The effects of *the tornado* are *personal property damage and destruction, dangerous situations caused by leaking propane tanks and downed power lines, destroyed road beds, and the spread of natural and manmade debris sporadically across wide areas*.

Under Wisconsin State Statute 166.23, elected officials of counties, cities, villages, and towns are granted "the general authority to order, whatever is necessary and expedient for the health, safety, welfare and good order of the county, city, village, or town in the emergency..."

It is hereby proclaimed that EVACUATION of all / part of the **County of Dane** is necessary and expedient for the health, safety, welfare and good order to protect the public peace, preserve lives and property, and economic stability.

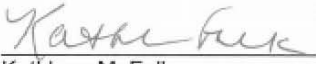
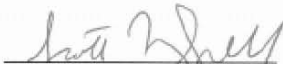
NOW THEREFORE, The **County of Dane** issues this **Order to Evacuate** for the following area(s):

The area bounded by –

- US Interstate 94 to the South,
- CTH C, T, and VV to the West,
- US Hwy 151 and the Dane CO border with Columbia CO to the North, and
- The Dane CO border with Dodge CO to the East.

Be it further Ordered that the **County of Dane Board of Supervisors** be notified by the filing of the written declaration with the **County Clerk** on the first regular business day following the declaration and the **County Clerk** shall present the written proclamation to the **County of Dane Board of Supervisors** for ratification at its first meeting following such a declaration.

Set forth this day, the 9th of June 2008.

 Kathleen M. Falk Dane County Executive	L	 Scott McDonell Dane County Board Chair
	E	

Public Safety Building, Room 2107, 115 West Doty Street, Madison, WI 53703-3202
TDD: (608) 267-1597 • FAX: (608) 266-4500

Step 3 – Adopt Resolutions / Ordinances supporting the Declaration of Emergency and Evacuation Proclamation:

Note- These sample resolutions are written under the premise that a an Emergency has been declared and Proclamation ordering an evacuation has been issued. If the local governing body is available to meet with promptness, these sample resolutions may need minor wording adjustments.

SAMPLE TEXT:

Resolution / Ordinance adopting Declaration of Emergency

Whereas, an emergency has been declared by _____ of the City/Village/Town of _____; and

Whereas, recent events including in an _____ has resulted in a _____; and (Further situational-descriptive information goes here (i.e. concerns for dam failures are being monitored)

Whereas, emergency conditions exist that requires a multi-agency, multi-jurisdictional response; and

Whereas, the disaster has caused the effected areas to commit all available resources; and

Whereas, the City/Village/Town of _____ requests that the governor seek a Presidential Disaster Declaration on its behalf; and

Whereas, the State of Emergency shall expire _____ hours after issuance; and


Whereas, the declaration of an emergency is the best option and is necessary and expedient for the health, safety, welfare and good order to protect the public peace, preserve lives and property, economic stability, and ensure cooperation and coordination, the City/Village/Town of _____ ratifies this Proclamation Declaration of Emergency.

Set forth this day, the _____ of _____, 20XX.

XXXXX
City / Village / Town
Official

XXXXXXX
Chairman – Board of XXXX

Example:

	COUNTY OF DANE		Emergency Planning Division (608) 266-4330
	Department of Em	E	ment
	KATHY M. KRUSIEC, Director (608) 267-1591		Emergency Medical Services Division (608) 266-4387
			Hazardous Materials Planning Division (608) 266-9051

Resolution / Ordinance adopting Declaration of Emergency

Whereas, an **emergency** has been declared by **Executive** of the **County of Dane**; and

Whereas, recent events including in an **uncontrolled release of hydrogen chloride** have resulted in a **dangerous vapor cloud**; and

Whereas, **dangers from this vapor cloud include burning to the eyes, the skin and the respiratory tract; inhalation of high concentrations of the gas may cause pneumonitis and lung edema**; and

Whereas, emergency conditions exist that requires a multi-agency, multi-jurisdictional response; and

Whereas, evacuations are being implemented in effected communities; and

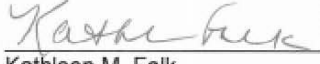

Whereas, the disaster has caused the effected areas to commit all available resources; and

Whereas, the County of Dane is requests that the governor seek a Presidential Disaster Declaration on its behalf; and

Whereas, the State of Emergency shall expire **forty-eight** hours after issuance; and

Whereas, the declaration of an emergency is the best option and necessary and expedient for the health, safety, welfare and good order to protect the public peace, health and safety, preserve lives and property, economic stability, and insure cooperation and coordination, the **Dane County Board of Supervisors** ratifies this Declaration of Emergency.

Set forth this day, the 9th of June 2008.

 Kathleen M. Falk Dane County Executive	 Scott McDonell Dane County Board Chair
--	---

Public Safety Building, Room 2107, 115 West Doty Street, Madison, WI 53703-3202
TDD: (608) 267-1597 • FAX: (608) 266-4500

SAMPLE TEXT:

Resolution / Ordinance adopting Proclamation of Evacuation Order

Whereas, an evacuation has been proclaimed and ordered by _____ of the City/Village/Town of _____; and

Whereas, recent events including _____ have resulted in _____ effecting the following areas: _____. The effects of _____ are _____; and (Further situational-descriptive information goes here (i.e. concerns for dam failures are being monitored)

Whereas, the proclamation ordering an evacuation is the best option and is necessary and expedient for the health, safety, welfare and good order to protect the public peace, preserve lives and property, economic stability, and ensure cooperation and coordination, the City/Village/Town of _____ ratifies this Proclamation Ordering the Evacuation of the following area(s):


N, E, S, & W boundaries / Areas directly abutting XXXX / Physical boundary description / Areas apparent to be impacted by the hazard; and

Set forth this day, the _____ of _____, 20XX.

XXXXX
City / Village / Town
Official

XXXXXXX
Chairman – Board of XXXX

Example:

	COUNTY OF DANE		Emergency Planning Division (608) 266-4330
	Department of Emergency Management		Emergency Medical Services Division (608) 266-4387
	KATHY M. KRUSIEC, Director (608) 267-1591		Hazardous Materials Planning Division (608) 266-9051

Resolution / Ordinance adopting Proclamation of Evacuation Order

Whereas, an **evacuation** has been proclaimed and ordered by **Executive** of the **County of Dane**, and



Whereas, recent events including in an **uncontrolled release of hydrogen chloride** have resulted in a **dangerous vapor cloud** effecting the following areas: The areas encompassed with the Towns of Burke, Windsor, Westport, and Vienna. The effects of **hydrogen chloride gas are burning to the eyes, the skin and the respiratory tract; inhalation of high concentrations of the gas may cause pneumonitis and lung edema.**

Whereas, the proclamation ordering an evacuation is the best option and is necessary and expedient for the health, safety, welfare and good order to protect the public peace, preserve lives and property, economic stability, and ensure cooperation and coordination, the **County of Dane** ratifies this Proclamation Ordering the Evacuation of the following area(s):

The area bounded by –

- **US Hwy 151 and Hoepker Road to the South,**
- **CTH C to the East,**
- **Windsor Road and Cuba Valley Road to the North, and**
- **River Road to the West.**

Set forth this day, the 9th of June 2008.

 Kathleen M. Falk Dane County Executive	 Scott McDonell Dane County Board Chair
--	---

Public Safety Building, Room 2107, 115 West Doty Street, Madison, WI 53703-3202
TDD: (608) 267-1597 • FAX: (608) 266-4500

EVACUATION PROCLAMATION/RESOLUTION VS. MESSAGES

One function of the PROCLAMATION AND/OR RESOLUTION is to act as documentation for the organization issuing the evacuation order (because it is assumed evacuation measures will be ordered before the legal procedures can be acted upon). The document should clarify the intentions of the issuing agency AND signify that the appropriate procedures were followed.

An Evacuation **PROCLAMATION / RESOLUTION** Clearly Delineates:

- Specific information pertinent to the purpose for the Evacuation:
 - Who is ordering the evacuation.
 - The hazard itself.
 - The area to evacuate.
- Evacuation is the best option for protection.

The function of evacuation MESSAGES is to encourage prescribed and appropriate action in a timely fashion. Information supporting evacuation procedures should be both simple and repetitive. Situations will arise during the evacuation that will need to be anticipated and addressed through the immediacy of the broadcast media.

Evacuation **MESSAGES** Clearly Delineate:

- Specific information pertinent to the purpose for the Evacuation:
 - Who is ordering the evacuation.
 - The hazard itself.
 - The area to evacuate.
 - Evacuation routes / collection points.
 - Where to evacuate to (REGISTRATION ?).
 - Window of time to accomplish the evacuation / urgency.
- Evacuation is the best option for protection - include potential dangers of non-compliance (the immediate threat posed to the population).
- Information to remind / assist / inform evacuees:
 - Materials to bring.
 - Estimated length of time the evacuation will take.
 - Where to get more official information.

Sample Evacuation Message Content:

This is an Order to Evacuate from (Dept / Organization Name).

A (hazard description) is threatening the following area(s):

- Area A (define area with clear, well know boundaries)
- Area B (define area with clear, well know boundaries)

Please use the following evacuation routes:

- From Area A – xxx.
- From Area B – yyy.

Persons should evacuate to:

- Specific locations including XXX (see Appendix F of this plan), or
- Locations derived by the specific conditions of the situation (i.e. locations at least xx miles away).

The evacuation will take place over the next XX hour(s) and should be completed by HHMM hrs. Once evacuees leave the area, they will not be allowed to re-enter.

Evacuation is the best option for persons to protect themselves. The immediate threat(s) of the hazard include:

- Describe serious bodily harm, and / or
- Describe expected impact on population.

Evacuees should bring:

- Wallet / Purse (including personal identification),
- House and car keys,
- Eyeglasses,
- Medications,
- Proper / Warm Clothing,
- Family pet(s), and
- Cash.

These supplies may need to last for an indefinite period of time. It is suggested that persons bring three days worth of personal supplies to meet their individual needs.

Persons who need additional assistance with special need should contact XXX at XXX.

More information will be released when known. Official information may be found at:

- Local television and radio stations,
- The Dane County Web-page (www.countyofdane.com),
- Other...