

**RESOLUTION ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM
REGULATIONS IN SOMERSET COUNTY, MARYLAND**

WHEREAS, the President of the United States, in Homeland Security Presidential Directive-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS) to provide a consistent nationwide approach for Federal, State, local, and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity; and

WHEREAS, the Governor of Maryland, in Executive Order 01.01.2005.09 adopted NIMS as the Maryland State standard for incident management; and

WHEREAS, in order to facilitate the most efficient and effective incident management it is critical that Federal, State, local, and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, it is necessary and desirable that all Federal, State, local, and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities, and resources will improve the County's ability to utilize state and federal funding to enhance local agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, incident Command System components of NIMS are already an integral part of various incident management activities throughout the State and in Somerset County, including current emergency management training programs.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Somerset County, Maryland that:

A. Name, purpose and intent.

(a) Name. The regulations hereby adopted shall constitute and shall hereafter be known as the "Somerset County National Incident Management System Regulations" and may be cited and is hereinafter referred to as the "NIMS Regulations".

(b) Purpose and Intent. It is the intent of these Regulations to ensure the most efficient, consistent, and effective operations of Somerset County's public safety, public works, administration, elected officials, and other staff during an emergency incident. Somerset County has invested large sums of money on public safety equipment, personnel, and training, which is essential to the health, safety and welfare of all Somerset County residents by providing emergency management, 911, law enforcement, public works, emergency medical services, fire suppression, hazmat, emergency communications, public health, and other staff and departments in times of terrorist acts, hurricanes, and other natural disasters. It is the purpose of these Regulations to require, as herein provided, that all persons or entities providing services and operating during an emergency in

Somerset County do so in a manner that is consistent with the National Incident Management System guidelines. These operating guidelines shall be consistent with Homeland Security Presidential Directive-5 and State of Maryland Executive Order 01.01.2005.09.

- B. Scope.** These Regulations shall apply only in the unincorporated areas of the county. The provisions of these Regulations shall not apply within the corporate limits of any incorporated city or town within the county; provided that any such city or town may, by ordinance or resolution duly adopted by its governing body, adopt these Regulations as enforceable within such corporate limits and request that they be enforced therein. Upon such appropriate legislative act by such governing body and upon approval by the County Commissioners to enforce these Regulations within the corporate limits of the governing body, these Regulations shall be in full force and effect within the corporate limits of any municipality so adopting them.
- C. Severability.** Should any section or provision of these Regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Regulations as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.
- D. Administration and enforcement.**
- (a) Administration and enforcement. The responsibility for the administration and enforcement of these Regulations shall be vested in such County Department as designated for such purpose by the County Commissioners. The Department may delegate its own personnel and to other departments and their personnel such duties and responsibilities in connection with the administration and enforcement of these Regulations as are appropriate in the Department's judgment.
- (b) Designated agency. The County Commissioners hereby designate the Somerset County Department of Emergency Services for the administration and enforcement of these Regulations.
- E. Definitions.** For the purposes of these Regulations, the following definitions describe the meanings of the terms used in these Regulations.

HSPD—Homeland Security Presidential Directive

ICS – Incident Command System.

NIMS – National Incident Management System.

F. General Provisions.

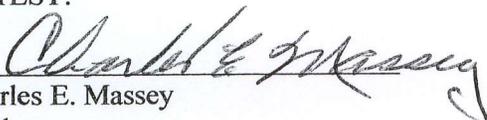
- (a) Training. The Somerset County Department of Emergency Services will coordinate initial NIMS training to all county employees and elected officials.
- (b) Exercises. The Somerset County Department of Emergency Services will coordinate exercises, drills and other activities as necessary in cooperation with all County departments to maintain the NIMS training guidelines.
- (c) Grant Distributions. Somerset County shall not distribute eligible grant funding to

those departments or municipalities whose personnel are not trained or are not operating under the NIMS guidelines as directed by HSPD-5 and its subsequent guidelines.

AND, BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

PASSED AND ADOPTED this 19th day of April, 2005.

ATTEST:

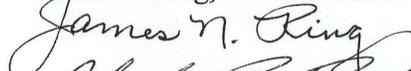

Charles E. Massey
Clerk

SOMERSET COUNTY COMMISSIONERS

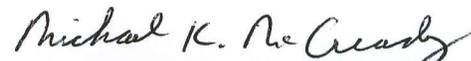
Sam Boston, President

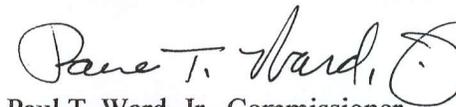


James N. Ring, Vice President



Charles F. Fisher, Commissioner


Michael K. McCready, Commissioner


Paul T. Ward, Jr., Commissioner

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BY Pat DEPUTY

Book 5 Page 540