

Commission proposes that OEM's responsibilities be codified in the Charter, and the present office elevated to departmental level status. By consolidating emergency management functions, improving coordination between City, State, federal and private agencies, and maintaining direct Mayoral control, the City will continue to implement an effective, efficient, and comprehensive approach to emergency management.

As evidenced by OEM's record of skillful professionalism, innovative ability, and defined accountability, OEM's codification as a Charter agency with departmental level status would ensure that the City of New York maintains its worldwide reputation of excellence in emergency management planning and response and, most importantly, continues to save lives and property.

Proposal: The Office of Emergency Management should be codified in the Charter as an independent agency, the Emergency Management Department, to ensure the City's future success in using a comprehensive approach to emergency management.

Proposed Charter Revision:

Section 1. The New York City charter is amended by adding a new chapter 19-A to read as follows:

**CHAPTER 19-A
EMERGENCY MANAGEMENT DEPARTMENT**

Sect. 495. Department; Commissioner

Sect. 496. Deputies

Sect. 497. Powers and duties

Sect. 498. Agency cooperation

Sect. 495. Department; Commissioner. There shall be an emergency management department, which may also be known as the New York City office of emergency management, the head of which shall be the Commissioner of emergency management. The Commissioner shall be appointed by the Mayor. The Commissioner shall also serve as the local director of civil defense, with the powers of a local director of civil defense.

Sect. 496. Deputies. The Commissioner shall have the power to appoint and, at pleasure, remove deputies, one to be known as first deputy Commissioner. During the absence or disability of the Commissioner, the first deputy Commissioner, or if the first deputy Commissioner shall be absent or under disability, the deputy Commissioner designated by the Commissioner, shall possess all the powers and perform all the duties of the Commissioner, except the power of making appointments and transfers.

Sect. 497. Powers and duties of the Commissioner. The Commissioner shall have cognizance and control of the government, administration, disposition and discipline of the department. The Commissioner shall have the powers and duties to:

- a. Coordinate the City's response to all emergency conditions and potential incidents which require a multi-agency response, including but not limited to severe weather, threats from natural hazards and natural disasters, power and other public service outages, labor unrest other than the keeping of the peace, water main breaks, transportation and transit incidents, hazardous substance discharges, building collapses, aviation disasters, explosions, acts of terrorism and such other emergency conditions and incidents which affect public health and safety;
- b. Monitor on a constant basis all potential emergency conditions and potential incidents which may require a multi-agency response;
- c. Coordinate and implement training programs for public safety and health, including emergency response drills, to prepare for emergency conditions and potential incidents which may require a multi-agency response;
- d. Prepare plans for responding to emergency conditions and potential incidents, including but not limited to plans for the implementation of such emergency orders as may be approved

by the Mayor to protect public safety and facilitate the rapid response and mobilization of agencies and resources;

- e. Make recommendations to the Mayor concerning the City's emergency response capabilities and concerning the City's capacity to address potential emergency conditions and potential incidents;
- f. Increase public awareness as to the appropriate responses by members of the public to emergency conditions and potential incidents, and review the City's systems for disseminating information to the public;
- g. Operate an emergency operations center to assist the City in managing emergency conditions and potential incidents that may require a multi-agency response;
- h. Hold regular and frequent meetings of designated emergency response personnel of all city agencies that are determined by the Commissioner to have a direct or support role in the City's management of emergency conditions and incidents which may require a multi-agency response;
- i. Acquire federal and other funding for emergency management, including but not limited to disaster relief, and civil defense, and assist other agencies in obtaining such funding;
- j. Coordinate with all City agencies to ensure that all such agencies develop and implement emergency response plans in connection with planning major City events;
- k. Coordinate with state, federal and other governmental bodies to effectuate the purposes of the department;
- l. Coordinate the operation of the local emergency planning committee established pursuant to Title III of the federal Superfund Amendments and Reauthorization Act;
- m. Coordinate New York City's civil defense effort in accordance with the emergency operations plan, as such plan may be amended from time to time;
- n. Perform all other functions previously performed by the former office of emergency management and the emergency control board; and
- o. Promulgate such rules and regulations as may be necessary to implement the provisions of this chapter.

Sect. 498. Agency cooperation. The department shall be the lead agency in the coordination and facilitation of resources in incidents involving public safety and health, including incidents, which may involve acts of terrorism. All agencies shall provide the department promptly with all information relevant to the performance of the emergency management functions and shall collect and make available any information requested by the department for use in emergency planning. All agencies further shall promptly provide the department with all appropriate material, equipment and resources needed for emergency management functions, including personnel.