Incident Management Basis of Authority

The State of Ohio

The Governor - Ohio Constitution III section 5 - Executive power vested in governor
• The supreme executive power of this State shall be vested in the governor

Ohio Dept. of Natural Resources, Division of Forestry - ORC 1503.01 Chief of forestry...
• The chief may adopt rules for the administration and protection of state forests
• The chief shall be responsible for the forests in this state - ORC 1503.011
• The chief may appoint forest-fire wardens - ORC 1503.09

ORC 1503.11 Duties of forest-fire wardens
• Wardens shall have control and direction of all persons and apparatus while engaged in extinguishing forest fires, and may destroy fences, plow land, or set backfires to check any fire

Ohio Dept. of Health - ORC 3701.03 General duties of the director of health
• the director shall administer the laws relating to health and sanitation
• the director shall require reports, provide administration, use facilities, and make an annual report to the governor on activities - ORC 3701.04

ORC 3707.01 Powers of board; abatement of nuisances
• the board of health shall abate and remove all nuisances
• the board may compel the owners, agents, assignees, occupants, or tenants of any lot, property, building, or structure to abate and remove any nuisance therein

Ohio Dept. of Commerce, Div. of Fire Marshal - ORC 3737.22 Duties of fire marshal; bureaus
• the fire marshal shall adopt and enforce the state fire code
• the fire marshal shall create bureaus of arson, inspection, and fire prevention

OAC 1301:7-1-03 enforcement; FM102.7 Authority at fires and emergencies
• The fire chief or his authorized representative shall be in charge at the scene of a fire or other emergency involving the protection of life and/or property, and shall remain in charge until authority is relinquished.

Ohio Environmental Protection Agency - ORC 3745.01 Environmental protection agency created; powers and duties of director; laboratory facilities; records
• the agency shall administer the laws [pertaining to waste]
Ohio Dept. of Mental Health - ORC 5119.01 Powers and duties of director...
• The director of mental health is the chief executive and administrative officer of the department of mental health.
• the director may establish procedure for the governance of the department
• establish programs to further mental health

Ohio Dept. of Rehabilitation and Corrections - ORC 5120.01 Director is executive...
• The director of rehabilitation and correction is the executive head of the department.
• All duties conferred on ... the department ... shall be under his control.

ORC 5120.38 Managing officer; duties
• [wardens have] entire executive charge of [their assigned] institution

Ohio Dept. of Youth Services - ORC 5139.03 Institution management
• the department of youth services shall control and manage all state institutions or facilities established for [them]

Ohio Dept. of Transportation - ORC 5501.02 Director of transportation rules
• the director shall have control of all duties, powers, and functions of the department of transportation
• the director shall have complete executive charge of the department over the divisions of administration, public transportation, aviation, water transportation, construction, planning and design, operations, field districts - ORC 5501.04
• the director shall have general supervision of all roads comprising the state highways - ORC 5501.31

Ohio Dept. of Public Safety- ORC 5502.01 Public safety department, Emergency Medical Services - ORC 4765.03 Executive director; medical director; employees
• the department of public safety shall administer all the laws pertain to licensing of drivers and motor vehicles
• the director of public safety shall appoint the executive director for the board of emergency medical services

Ohio Emergency Management Agency - ORC 5502.21 Definitions
• Emergency management includes enforcement of defense regulations, evacuation of personnel, control of traffic and panic, control of communications, lighting and warning systems, and activities after the hazard as well.
Ohio State Highway Patrol- ORC 5503.02 Duties and powers of the highway patrol
• enforce the laws of the state relating to ... motor vehicles
• regulate the movement of traffic on the roads and highways of the state
• arrest, without a warrant, any person ... under the same circumstances and with the same power any peace officer may make such an arrest
• enforce the criminal laws on all state properties and institutions
• enforce the criminal laws within the area threatened by riot, civil disorder, or insurrection [pursuant to an order by the governor]
• may never be used as peace officers in connection with any strike or labor dispute
• No state official shall command, order, or direct any state highway patrol trooper to perform any duty or service that is not authorized by law
• may render emergency assistance to any other peace officer [if threat of physical danger is present and assistance is requested]

Ohio National Guard- ORC 5919.01 Composition and organization of Ohio ... Guard
• Shall conform to and be organized in accordance with [department of defense plans for] the national guard.
• G VJemor is commander-in-chief

County

Sheriff - ORC 311.07 General powers and duties of the sheriff: cooperation with other agencies in emergency: organized crime task force membership
• preserve the public peace [and commit to jail those that breach it]
• may call upon the (resources of any adjoining county, municipal corporation, or township) ... as may be necessary to preserve the peace

County Commissioner - ORC 307 Board of county commissioners - Powers, ORC 307.01 public facilities; discretion of county commissioners ...
• provide equipment, stationary, and postage for proper conduct of county offices
• appropriate the money [for the court of common pleas]
• further powers are described in the rest of Ch. 307

County Emergency Management Agency- ORC 5502.26 Countywide emergency mgnt. Agency
• ...A countywide emergency management agency organized under this section shall establish a program for emergency management that ... includes, without limitation, development of an emergency operations plan.
• The director/coordinator of emergency management for a countywide agency organized under this section shall be responsible for coordinating, organizing, administering, and operating emergency management in accordance with the agency's program established under this section, and subject to the direction and control of the executive committee.
City (under the municipal corporation design, not necessarily charter cities)

**Mayor (city)- ORC 733.03 General powers of mayors in cities...**
- Chief conservator of peace within a city

**Director of Public Safety (city)- ORC 737.02 General duties; records; contracts**
- Executive head of police and fire departments
- Chief administrative authority of charity, correction, and building departments
- All powers and duties connected with and incident to the appointment, regulation, and government of such departments

**Chief of Police (city) - ORC 737.06 Chief of police**
- exclusive control of the stationing and transfer of all patrolmen, auxiliary police officers, and other officers and employees in the police department, and police auxiliary unit, under such general rules as the director of public safety describes

**Chief of the Fire Department (city) - ORC 737.09 Chief of the fire department**
- exclusive control of the stationing and transfer of all firemen and other officers and employees in the department, under such general rules as the director of public safety describes

City (village) (under the municipal corporation design)

**Mayor (village)- ORC 733.24 Mayor for village ...**
- chief conservator of the peace
- control of the village marshal- ORC 737.19; control of the village fire officer - ORC 737.22

**Marshal (village police)- ORC 737.19 Powers and duties of marshal; control ...**
- exclusive authority over the stationing and transfer of all deputies, officers, and employees within the police department of the village, under such general rules as the mayor describes
- suppress ... breaches of the peace

**Fire Chief (village) - ORC 737.22 Appointment of village fire chief, fire prevention ...**
- The mayor shall appoint a fire chief or a fire prevention officer.

Townships

**Township Trustees • ORC 505 Trustees**
- may appoint township administrator, establish fire protection, and establish police protection
Township Administrator - ORC 505.032 *Duties of administrator*
- supervise and direct the activities of the division of township government

Township Fire Protection - ORC 505.37 *Fire protection powers and duties* ...
- the head of the fire department is the fire chief- **ORC 505.38**

Township Police Protection - ORC 505.48 *Township Police district* ...
- the head of the police department is the chief- **ORC 505.49**