ORDINANCE NO. 1410

AN ORDINANCE REPUBLISHING CHAPTER 7
OF THE SOLANO COUNTY CODE
CONCERNING EMERGENCY SERVICES

The Board of Supervisors of the County of Solano, State of California, does ordain as follows:

SECTION I.

Chapter 7 of the Solano County Code entitled "Emergency Services," is hereby republished to read as follows:

CHAPTER 7.

EMERGENCY SERVICES.

§ 7-10. Purposes.
§ 7-11. Definitions.
§ 7-12. Director and division head of emergency services.
§ 7-14. Emergency organization.
§ 7-15. Disaster council membership.
§ 7-16. Incident command committee--Membership.
§ 7-17. Same--Powers and duties.
§ 7-20. Punishment of violations.

Sec. 7-10. Purposes.

The declared purposes of this chapter are to provide for the preparation and execution of plans for the protection of persons and property within this county in the event of an emergency; the direction of the emergency organization; and the coordination of the emergency functions and resources of this county with all other public agencies, corporations, organizations, and affected private persons. (Ord. No. 1192, § 2.)

Sec. 7-11. Definitions.

As used in this chapter, "emergency" means the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this county caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, earthquake, or other conditions, including conditions resulting from war or the imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel,
equipment and facilities of Solano County, requiring the combined forces of other political jurisdictions to combat. (Ord. No. 1192, § 2.)

Sec. 7-12. Director and Division Head of Emergency Services.
(a) There is hereby created the division of emergency services to be located in the Department of General Services. The General Services Director shall have the functional responsibility for the day to day operations of emergency services. The head of the division of emergency services will report to the Director of General Services on a day to day basis, and to the Incident Commander in cases of emergency.

(b) The county administrator is hereby designated as the Incident Commander, and will be responsible for the direction of the emergency services division in the case of any actual emergency or drill, as defined in section 7-11, above.

(c) The Incident Command System of the county shall be organized and used during periods of emergency and during training periods when so directed by the incident commander in accordance with the following:

CAO (Incident Commander)

Division Head of Emergency Services
Deputy Incident Commander

Operations Section
Sheriff

Logistics Section
Director of General Services

Planning Intelligence Section
Director of Environmental Mgt.

Finance Section
Auditor-Controller

Sec. 7-13. Powers and duties of the incident commander and division head of emergency services.
(a) The incident commander is hereby empowered to:
(1) Request the chairperson of the board of supervisors to proclaim the existence or threatened existence of a local emergency if the board of supervisors is in session or the incident commander may issue such a proclamation if the board of supervisors is not in session. Whenever a local emergency is proclaimed by the incident commander, the board of supervisors shall take action to ratify the proclamation within fourteen days or by the next regularly scheduled meeting of the board, whichever occurs first thereafter. If no such ratification occurs, the local emergency declaration declared by proclamation of the
(2) Request the governor to proclaim a state of emergency when, in the opinion of the incident commander, the locally available resources are inadequate to cope with the emergency.

(3) Direct and control the effort of the emergency organization of the county for the accomplishment of the purposes of this chapter.

(4) Direct the cooperation between and the coordination of services and staff of the emergency organization of this county and resolve questions of authority and responsibility that may arise between them.

(5) Represent the county in dealings with public and private agencies on matters pertaining to emergencies as defined herein.

(b) In the event of a proclamation of a local emergency as herein provided, the proclamation of a state of emergency by the governor or the director of the State Office of Emergency Services, or the existence of a state of war emergency, the incident commander is hereby empowered:

(1) To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the board of supervisors.

(2) To obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and to bind the county for the fair value thereof and, if required immediately, commandeer same for public use.

(3) To require emergency services of any county officer or employee and, in the event of the proclamation of a state of war emergency, to command the aid of as many citizens of Solano County as the incident commander deems necessary in the execution of the commander's duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers.

(4) To requisition necessary personnel or material of any county department or agency.

(5) To execute all of the special powers conferred upon the incident commander by this chapter or by resolution or emergency plan pursuant hereto adopted by the board of supervisors, all powers conferred by any statute, by any agreement approved by the board of supervisors, and by other lawful authority.

(c) The incident commander shall designate the order of succession to that office, to take effect in the event the incident commander is unavailable to attend meetings and otherwise perform duties during an emergency. Such order of succession shall be approved by the board of supervisors.

(d) The deputy incident commander shall, under the supervision of the incident commander and with the assistance of the emergency service chiefs, develop emergency plans and the emergency management programs of the county, and shall have such other powers and duties as may be assigned by the incident commander.
Sec. 7-14. Emergency organization.

All officers and employees of Solano County, together with those volunteer forces enrolled to aid them during an emergency, and all groups, organizations, and persons who may by agreement or by operation of law, including persons impressed into service under the provisions of section 7-16(b)(3) of this chapter, be charged with duties incident to the protection of life and property in this county during such emergency, shall constitute the emergency organization of the County of Solano. (Ord. No. 1192, § 2.)

Sec. 7-15. Disaster council membership.

The Solano County Disaster Council is hereby created as an advisory group to the board of supervisors. When convened by the incident commander the council, whether designated in whole or in part, shall serve as the functional membership of the county Emergency Operations Center (EOC). During such emergency service, members of the disaster council shall function under the Incident Command System (ICS) commonly used in fire and law enforcement services.

Membership of the Solano County Disaster Council shall consist of the following: (Names asterisked are members of the Incident Command Committee of the disaster council.)

1. Incident commander, * who presides over the meetings of the Disaster Council and who shall act during the course of an emergency as the person in charge of the county emergency operation under the purview of the Incident Command System (ICS).
2. The division head of Emergency Services, * who shall act as the Deputy Incident Commander in the ICS system when activated.
3. County Risk Manager/Public Information Officer.*
4. A Management Analyst designated by the CAO.*
5. County Sheriff.*
6. County Counsel.*
7. County Auditor-Controller.*
8. County Department of Health Services Director.*
9. County Environmental Management Director.*
10. County Director of General Services.*
11. County Transportation Department Director.
12. County Communications Division Chief.
13. Operational Area Fire-Rescue Coordinator.*
14. County Mental Health Division Deputy Director.
15. County Welfare Department Director.
16. County Health Services Department Director.
17. County Emergency Medical Services Division Administrator.
18. CHP Local Commander representative.
19. American Red Cross representative.
20. Salvation Army representative.
21. Travis Air Force Base representative.
22. Mare Island Naval Shipyard representative.
23. A liaison Officer, representing non-county emergency response agencies, who shall serve in the emergency operations center and shall function as a member of the ICS.
24. California National Guard representative.
The Incident commander of Solano County shall invite the agencies/individuals above to serve as members of the Solano County Disaster Council, to attend its scheduled meetings and to serve, when requested, as members of the county's Emergency Operations Center (EOC), under the purview of the incident command system. (Ord. No. 1192, § 2; Ord. No. 1338, § 1.)

Sec. 7-16. Incident Command Committee--Membership.

The Incident Command Committee consists of Solano county Disaster Council Members noted by asterisk (*) in Section 7-15 (above) and serves for the purpose of effectively aggregating, under the aegis of the incident command system, county personnel and material assets in support of an effective emergency response before, during and after a major emergency/disaster. (Ord. No. 1192, § 2; Ord. No. 1338, § 1.)

Sec. 7-17. Same--Powers and duties.

It shall be the duty of the Solano County Disaster Council and it is hereby empowered to review, evaluate, and recommend for adoption and/or consideration by the board of supervisors estimates of hazards facing the county, as well as plans and methods for the mitigation of such hazards. The Disaster Council shall also develop for adoption by the board, emergency and mutual aid plans, emergency exercises, emergency mutual aid agreements, and such ordinances, resolutions, rules and regulations as may be necessary to implement the same.

The Incident Command Committee of the Disaster Council shall meet monthly, or at the call of the incident commander.

The Disaster Council and its component committee, the Incident Command Committee, and all other such committees as may be designated by the Chairman of the Disaster Council are authorized to:

(1) Develop and implement the regulations and training necessary to insure that the entire county staff and all county employees are able, when called upon during an emergency, to do their part in mitigation, response and recovery from the effects of a disaster, which may affect Solano County, its people, industry, or any of its component jurisdictions.

(2) Develop, review, publish, and when appropriate, implement emergency plans of the county.

(3) Make recommendations to the Board with respect to emergency situations or hazards, current or developing in the county.

(4) Act as the focal point for the coordination of emergency exercises conducted with other governmental agencies, to include the cities and special districts of the county and all appropriate elements of private enterprise in the county.

The Disaster Council shall review emergency services programs and the emergency services plans, programs and emergency readiness status of all county departments. It shall render, under the signature of the incident commander, an annual report to the Board of Supervisors, on the emergency services preparedness status of
the county and its agencies.

It is the desire of the Board of Supervisors that directors of county departments personally participate, as requested, in the deliberations and activities of the Disaster Council, and that if they choose to have a representative attend the meetings of said council, that that person be empowered to commit that department to all necessary action in support of emergency preparedness activities.

Under the direction of the incident commander each county department shall function as a constituent member of the Incident Command System when called upon by the incident commander to do so in emergencies and for such training as may be required to properly prepare for emergencies. (Ord. No. 1192, § 2; Ord. No. 1338, § 2.)

Sec. 7-18. Emergency plan.

The incident commander shall be responsible for developing and maintaining the Solano County emergency plan. The emergency plan shall provide for the effective mobilization of all the resources of this county, both public and private, to meet any condition constituting a local emergency, state of emergency, or state of war emergency; and shall provide for the organization, powers and duties, services, and staff of the emergency organization. Such plan shall take effect upon adoption of a resolution by the board of supervisors. (Ord. No. 1192, § 2.)

Sec. 7-19. Expenditures.

Any expenditures made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the residents and property of the County of Solano. (Ord. No. 1192, § 2.)

Sec. 7-20. Punishment of violations.

It shall be a misdemeanor, punishable by a fine not to exceed one thousand dollars or by imprisonment for not to exceed six months, or both, for any person during any emergency to:

(a) Wilfully obstruct, hinder, or delay any member of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter, or in the performance of any duty imposed upon the member by virtue of this chapter.

(b) Do any act forbidden by any lawful rule or regulation issued pursuant to this chapter, if such act is of such a nature as to give or be likely to give assistance to the enemy or to imperil the lives or property of the inhabitants of this county, or to prevent, hinder, or delay the defense or protection thereof.

(c) Wear, carry, or display, without authority, any means of identification specified by the emergency organization or by the emergency management agency of the State of California. Ord. No. 1192, § 2.)

Sec. 7-21. Severability.

If any provision of this chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall
not affect other provisions or applications, and to this end the provisions of this chapter are declared to be severable. (Ord. No. 1192, § 2.)

SECTION II.

Pursuant to provisions of Government Code Section 25124(b)(1), a Summary of this Ordinance shall be published once, at least FIVE (5) DAYS prior to the meeting of the Board of Supervisors at which the Ordinance is to be finally considered for adoption (second reading), and a summary of this Ordinance, with the vote of the members of the Board of Supervisors thereon, shall also be published once before the expiration of FIFTEEN (15) DAYS after adoption of the Ordinance. Both publications shall be in the DAILY REPUBLIC, a newspaper of general circulation, printed and published in the County of Solano, State of California, and shall be in full force and effect THIRTY (30) DAYS after its passage.

A certified copy of the full text of the proposed Ordinance shall be posted in the Office of the Clerk of the Board of Supervisors at least FIVE (5) DAYS prior to the meeting of the Board of Supervisors at which the Ordinance is to be finally considered for adoption (second reading). A certified copy of the final Ordinance shall be posted in the Office of the Clerk of the Board of Supervisors, within FIFTEEN (15) DAYS after adoption of the Ordinance, and the posting shall include the vote of the Supervisors for or against the Ordinance.

ATTEST:

LINDA L. TERRA, Clerk of the Board of Supervisors

I, LINDA TERRA, Clerk of the Board of Supervisors of the County of Solano, State of California, do hereby certify that the above and foregoing Ordinance was introduced at a regular meeting thereof held this 14th day of January, 1992.

On the motion of Supervisor Stewart and the second of Supervisor Caddle, this Ordinance was adopted at a regular meeting of said Board on the 28th day of January, 1992, by the following vote:

AYES: SUPERVISORS: Caddle, Carroll, Stewart and Chairwoman Simmons
NOES:
ABSTAINED:
ABSENT: SUPERVISORS: Davis
WITNESS my hand and the Seal of said Board this 28th day ofJanuary, 1992.

LINDA TERRA, Clerk of the Board of Supervisors

By Linda Terra