ORDINANCE NO. 779

ORDINANCE AMENDING CHAPTER 7, SECTIONS 7-1 through 7-13, SOLANO COUNTY CODE, REGARDING EMERGENCY SERVICES FOR THE COUNTY OF SOLANO

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

SECTION I

Sections 7-1 through 7-13, Chapter 7, of the Solano County Code, is amended to read as follows: Provided that it is the intent of the Board of Supervisors in enacting this ordinance that it shall be considered a revision and continuation of the ordinance repealed by this ordinance, and the status of volunteers shall not be affected by such repeal; nor shall plans and agreements, rules and regulations, or resolutions adopted pursuant to such repealed ordinance be affected by such repeal until amended, modified, or superseded as provided in this ordinance.

"CHAPTER 7.

EMERGENCY SERVICES

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Sec. 7-1 Purpose

The declared purposes of this ordinance are to provide for the preparation and carrying out 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 of this county with all other public agencies, corporations, organizations, and affected private persons.

Sec. 7-2 Definitions.

As used in this ordinance, 'emergency' shall mean 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, or earthquake, or other conditions, including conditions resulting from war or 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 this county, requiring the combined forces of other political subdivisions to combat.

Sec. 7-3 Disaster Council Created--Composition.

The Solano County Disaster Council is hereby created and shall consist of the following:

(a) The Chairman of the Board of Supervisors, who shall be Chairman.

(b) The Director of Emergency Services, who shall be Vice-Chairman.

(c) The Assistant Director of Emergency Services.

(d) Such chiefs of emergency services as are provided for in a current emergency plan of this county, adopted pursuant to this ordinance.

(e) Such representatives of civic, business, labor, veterans, professional, or other organizations having an official emergency responsibility, as may be appointed by the Director with the advice and consent of the Board of Supervisors.

Sec. 7-4. Same--Powers and duties; meetings.

It shall be the duty of the Solano County Disaster
Council, and it is hereby empowered, to develop and recommend for adoption by the Board of Supervisors, emergency and mutual aid plans and agreements and such ordinances, and resolutions and rules and regulations as are necessary to implement such plans and agreements. The Solano County Disaster Council shall meet upon call of the Chairman or, in his absence from the county or inability to call such meeting, upon call of the Vice Chairman.

Sec. 7-5 Director of Emergency Services--Position Established; Assistant.

(a) There is hereby created the office of Director of Emergency Services. The Director of Emergency Services shall be appointed by the Board of Supervisors.

(b) There is hereby created the office of Assistant Director of Emergency Services who will be appointed by the Director with the advice and consent of the Board of Supervisors.

Sec. 7-6 Same--Powers and Duties of the Director and Assistant Director of Emergency Services.

(a) Director is hereby empowered to:

(1) Request the Chairman of the Board of Supervisors to proclaim the existence of a 'local emergency' if the Board of Supervisors is in session or to issue such proclamation if the Board of Supervisors is not in session.

Whenever a local emergency is proclaimed by the Director, the Board of Supervisors shall take action to ratify the proclamation within seven (7) days thereafter or the proclamation shall have no further force or effect.

(2) Advise the Chairman of the Board of Supervisors to request the Governor of California to proclaim a 'state of emergency' when, in the opinion of the Director, the locally available resources are inadequate to cope with the emergency.

(3) Control and direct the effort of the emergency organization of this county for the accomplishment of the purposes of this ordinance.

(4) Direct coordination and cooperation between divisions, services and staff of the emergency organization of this county and resolve questions of authority and responsibility that may arise between them.
(5) Represent this county in all dealings with public or private agencies on matters pertaining to emergencies as defined herein.

(6) In the event of the 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 Director is hereby empowered:

A. 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.

B. 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, to commandeer the same for public use.

C. To require emergency services of any county officer or employee and, in the event of the proclamation of a 'state of emergency' in the county or the existence of a 'state of war emergency', to command the aid of as many citizens of this county as he deems necessary in the execution of his duties. Such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered disaster service workers.

D. To requisition necessary personnel or material of any county department or agency; and

E. To execute all of the special powers conferred upon him by this ordinance or by resolution or emergency plan pursuant hereto adopted by the Board of Supervisors, all powers conferred upon him by any statute, by any agreement approved by the Board of Supervisors, and by any other lawful authority.

(b) The Director of Emergency Services shall designate the order of succession to that office, to take effect in the event the Director is unavailable to attend meetings and otherwise perform his duties during an emergency. Such order of succession shall be approved by the Board of Supervisors.
The Assistant Director shall, under the supervision of the Director and with the assistance of emergency service chiefs, develop emergency plans and manage the emergency programs of this county. He shall have such other powers and duties as may be assigned by the Director.

Sec. 7-7. Emergency Organization.

All officers and employees of this county, together with those volunteer forces enrolled to aid them during an emergency, and all groups, organizations, and persons who may by agreement or operation of law, including persons impressed into service under the provisions of Section 7-6(a)(6)C. of this ordinance who are 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.

Sec. 7-8. Emergency Plan.

The Solano County Disaster Council shall be responsible for the development of the Solano County Emergency Plan, which plan shall provide for the effective mobilization of all of 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 by resolution by the Board of Supervisors.

Sec. 7-9. 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 inhabitants and property of the County of Solano.

Sec. 7-10. Violations.

It shall be a misdemeanor, punishable by a fine of not
to exceed FIVE HUNDRED DOLLARS ($500.00), or by imprisonment for not to exceed six months, or both, for any person during an emergency to:

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

(b) Do any act forbidden by any lawful rule or regulation issued pursuant to this ordinance, 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 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 State Emergency Council.

Sec. 7-11 Conflict with other County Law.

Whenever any other chapter of this Code or other county rule or regulation conflicts with the provisions of this ordinance, the provisions of this ordinance shall control.

Sec. 7-12. Severability.

If any provision of this ordinance 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 ordinance are declared to be severable.

Sec. 7-13. Effective Date.

This ordinance shall become effective thirty (30) days from and after its passage."

SECTION II

This ordinance shall be published once before the expiration of fifteen (15) days after its passage in the
The Daily Republic

... a newspaper of general circulation printed and published in the County of Solano, and shall be in full force and effect thirty (30) days after passage.


WALLACE L. BRAZELTON, Chairman of the Board of Supervisors of the County of Solano, State of California.

ATTEST:

NEIL CRAWFORD, County Clerk and Ex-Officio Clerk of said Board of Supervisors

I, NEIL CRAWFORD, County Clerk of Solano County, and ex-officio Clerk of the Board of Supervisors of said County, do hereby certify that the foregoing Ordinance was regularly introduced, passed and adopted by said board at a regular meeting thereof held November 16, 1971, by the following vote:

AYES: SUPERVISORS

Chod, Hadley

NOES: SUPERVISORS

ABSENT: SUPERVISORS

Witness my hand and the seal of the Board this 16 day of November, 1971.

NEIL CRAWFORD, County Clerk

Ellen Starner, Deputy Clerk