

## **Title 7 - EMERGENCY SERVICES**

### **7.04 GENERAL**

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#### **Sections:**

#### **7.04.010 Purpose.**

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This chapter establishes the city emergency services organization and provides for the preparation and carrying out of the plans for the protection of persons and property within this city in the event of an emergency; the direction of the emergency organization; and the coordination of the emergency functions of this city with all other public agencies, incorporated areas, corporations, organizations, and affected private persons. (Ord. 1085 § 2 (part), 1973).

#### **7.04.020 Definitions.**

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- a) 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 city caused by such conditions as air pollution, fire, flood, storm, epidemic, explosion, landslide, famine, drought, 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 are or are likely to be beyond the control of the services, personnel, equipment, facilities, and related resources of this city, requiring the combined forces of other political subdivisions to combat.
- b) The terms "state of war emergency," "state of emergency," and "local emergency" shall have the same meanings as provided in Government Code Section 8558, as it may be amended from time to time.
- c) When used in the text of emergency plans prepared pursuant to this chapter, "disaster" is synonymous with "emergency."
- d) Where used in this chapter, and in the emergency plan related thereto, "city" or "cities" refers to one or all of the eleven (11) incorporated political subdivisions within Marin County.
- e) Where used in this chapter, "emergency plan" means that document entitled "City of San Rafael Emergency Operations Plan," as approved by resolution of the city council and on file with the city clerk.
- f) Unless otherwise specifically provided, or unless the context otherwise requires, the terms of this chapter shall have the same meanings as provided in the California Emergency Services Act, Government Code Section 8550 et seq., as it may be amended from time to time.

(Ord. 1845 § 1, 2006: Ord. 1085 § 2 (part), 1973).

### **7.08 DISASTER COUNCIL**

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#### **Sections:**

#### **7.08.010 Membership.**

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The city disaster council is hereby created and shall consist of the following:

- a) The mayor who shall be the chairman;
- b) The director of emergency services who shall be the 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 city adopted pursuant to this chapter;
- e) Such representatives of organizations having an official emergency responsibility, as may be appointed by the director with the consent of the city council.

(Ord. 1085 § 2 (part), 1973).

### **7.08.020 Duties, powers and scope.**

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It shall be the duty of the city disaster council, and it is empowered, to develop and recommend for adoption by the city council, 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 within the city. The council shall meet upon the call of the chairman, or in his absence from the city or inability to call such meeting, upon the call of the vice chairman. (Ord. 1085 § 2 (part), 1973).

## **7.12 DIRECTOR AND ASSISTANT DIRECTOR OF EMERGENCY SERVICES.**

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### **Sections:**

### **7.12.010 Appointment.**

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- a) There is hereby created the position of director of emergency services.
  - 1. The city manager shall be the director of emergency services.
- b) There is hereby created the position of assistant director of emergency services, who shall be appointed by the director.

(Ord. 1085 § 2 (part), 1973).

### **7.12.020 Powers and duties of the director and assistant director.**

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- (a) The director is empowered to:
  - 1. Proclaim the existence or threatened existence of a "local emergency" if the city council is not in session, subject to ratification by the city council within seven (7) days thereafter or the proclamation shall have no further force or effect;
  - 2. Request the governor to proclaim a "state of emergency" when, in the opinion of the director, locally available resources are inadequate to cope with the emergency;
  - 3. Direct and control the effort of the emergency organization of this city for the accomplishment of the purposes of this chapter;
  - 4. Direct cooperation between and coordination of services and staff of the emergency organization of this city; and resolve questions of authority and responsibility that may arise between them;

5. Represent this city in all dealings with public or 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 director is empowered to:
1. 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 city council;
  2. Obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and to bind the city for the fair value thereof and, if required immediately, to commandeer the same for public use;
  3. Require emergency services of any city officer or employee, and in the event of the proclamation of a "state of emergency" in the city or the existence of a "state of war emergency," to command the aid of as many citizens of this community 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;
  4. Requisition necessary personnel or material of any department or agency in this city;
  5. Execute all of his ordinary powers as city manager, all of the special powers conferred upon him by this chapter or by resolution or emergency plan pursuant hereto adopted by the city council, all powers conferred upon him by any statute, by any agreement approved by the city council, and by any other lawful authority.
- (c) 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/or otherwise perform his duties during an emergency. Such order of succession shall be approved by the city council.
- (d) The assistant director shall, under the direction and supervision of the director and with the assistance of emergency service chiefs, develop emergency plans and manage the emergency program of this city, and shall have such other powers and duties as may be assigned by the director.

(Ord. 1845 § 2, 2006; Ord. 1085 § 2 (part), 1973).

## **7.16 EMERGENCY ORGANIZATION**

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### **Sections:**

#### **7.16.010 Membership.**

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All officers and employees of this city, 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 7.12.020(b)(3) corresponding to powers and duties, be charged with duties incident to the protection of life and property in this city during such emergency, shall constitute the emergency organization of the city. (Ord. 1085 § 2 (part), 1973).

### **7.16.020 Emergency Plan.**

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The city emergency plan shall be developed and maintained current by the director of emergency services. The plan will provide for continuity of government, and the effective mobilization of all of the resources of this city, 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 of the city council.

(Ord. 1085 § 2 (part), 1973).

### **7.16.030 Expenditures.**

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Any expenditure made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the city.

(Ord. 1085 § 2 (part), 1973).

### **7.16.040 Punishment of violations.**

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It is a misdemeanor, punishable by a fine of not to exceed five hundred dollars, or by imprisonment for not to exceed six months, or both, for any person, during a state of war emergency, state of emergency, or local 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 him 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 nature as to give or be likely to give assistance to the enemy, or to imperil the lives or property of inhabitants of this city, 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 agency of the state.

(Ord. 1085 § 2 (part), 1973).