

APR 21 1981

AN ORDINANCE ADDING CHAPTER 72
TO THE SACRAMENTO CITY CODE
RELATING TO EMERGENCY SERVICES

CHAPTER 72

EMERGENCY SERVICES

SECTION 1.

Chapter 72 hereby is added to the Sacramento City Code to read as follows:

CHAPTER 72 EMERGENCY SERVICES

Sec. 72.100 Purposes. The purposes of this chapter are to provide for the preparation and carrying out of 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 with all other public agencies, corporations, organizations, and affected private persons.

Sec. 72.110 Definitions. As used in this chapter, "local 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 city 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 city, requiring the combined forces of other political subdivisions to combat. The terms "state of emergency" and "state of war emergency" shall have the meanings given them in California Government Code Section 8558.

Sec. 72.120 Disaster Council Membership. The Sacramento City Disaster Council is hereby created and shall consist of the following:

- (a) The director of emergency services, who shall be chairman.
- (b) The assistant director of emergency services, who shall be vice chairman.
- (c) Coordinator.
- (d) Such chiefs of emergency services as are provided for in a current emergency plan of this city and any amendment thereto adopted pursuant to this chapter.
- (e) Such representatives of civic, business, labor, veterans, professional, or other organizations having an official emergency responsibility, as may be appointed by the Mayor with the concurrence of a majority of the City Council.

Sec. 72.130 Disaster Council Powers and Duties. It shall be the duty of the City of Sacramento Disaster Council, and it is hereby empowered, to develop and recommend for adoption by the City Council, emergency and mutual aid plans and agreements and amendments thereto,

such ordinances, resolutions, rules and regulations as are necessary to implement such plans and agreements or amendments thereto. The Disaster Council shall meet upon call of the chairman or, in his absence, from the City, or inability to call such meeting, upon call of the vice chairman.

Sec. 72.140 Director and Assistant Director of Emergency Services.

(a) There is hereby created the office of director of emergency services. The City Manager shall be the director of emergency services.

(b) There is hereby created the office of assistant director of emergency services. The Fire Chief shall be the assistant director of emergency services.

(c) There is hereby created the office of coordinator of emergency services which will be appointed by the director, to manage the emergency programs of this city, and shall have powers and duties as may be assigned by the director.

Sec. 72.150 Powers and Duties of the Director and Assistant Director and Coordinator of Emergency Services.

(a) The director is hereby empowered to:

(1) Request the City Council to proclaim the existence or threatened existence of a "local emergency" if the City Council is in session, or to issue such proclamation if the City Council is not in session. Whenever a local emergency is proclaimed by the Director, the City Council shall ratify the proclamation within seven (7) days thereafter or if the Council does not ratify, the proclamation shall have no further force or effect. The City Council will review, at least every fourteen (14) days until a local emergency is terminated, the need for continuing the local emergency. The City Council shall terminate the local emergency at the earliest possible date the conditions warrant.

(2) Request the Governor to proclaim a "state of emergency" when, in the option 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 the City of Sacramento 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.

(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 City Council.

(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 City for the fair value thereof and, if required immediately, to commandeer the same for public use.

(C) To require emergency services of any City officer or employee and, in the event of the proclamation of a "state of emergency" in the county in which this city is located 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;

(D) To requisition necessary personnel or material of any City department or agency.

(E) To execute all of his ordinary power as City Manager for the City of Sacramento, 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 or amendments thereto approved by the City Council, 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 or otherwise perform his duties during an emergency; provided, however, such order of succession shall not be effective until approved by resolution of the City Council.

(c) The assistant director shall, under the supervision of the director, with the assistance of emergency service chiefs and the coordinator be responsible for the development of emergency plans and the management of the emergency programs of this city, and shall have such other powers and duties as may be assigned by the director.

Sec. 72.160 Emergency Organization. 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 or law, including persons impressed into service under the provisions of Section 71.150(a)(6)(C) of this chapter, 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 of Sacramento.

Sec. 72.170 Emergency Plan. The Sacramento City Disaster Council shall be responsible for the development of the City of Sacramento Emergency Plan and amendments to the City's plan existing on the effective date of this chapter, which plan or amendments shall provide for 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 or amendments shall take effect upon adoption by resolution of the City Council.

Sec. 72.180 Expenditures. 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 inhabitants and property of the City of Sacramento.

Sec. 72.190 Punishment of Violations. It shall be a misdemeanor, punishable by a fine of not to exceed five hundred dollars (\$500) or by imprisonment for not to exceed six (6) months, or both, for any person, during an emergency, to:

(a) Willfully obstruct, hinder, or delay any member of the emergency organization as defined in Section 72.140 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) Willfully 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 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 of California.

SECTION 2.

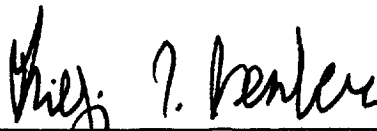
Severability. If any provision of this chapter or the application thereof to any person or circumstance is held invalid,

such invalidity shall not effect other provisions or applications, and to this end, the provisions of this chapter are declared to be severable.

PASSED FOR PUBLICATION: APR 14 1981

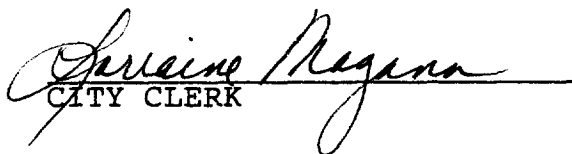
ENACTED: APR 21 1981

EFFECTIVE: MAY 21 1981



MAYOR

ATTEST:



CITY CLERK