MARIPOSA COUNTY ORDINANCE No. 600

AMENDING THE DISASTER COUNCIL AND CORPS
PROCEDURES IN MARIPOSA COUNTY

WHEREAS, the present disaster procedures do not meet the
current needs of the County,

NOW THEREFORE the BOARD OF SUPERVISORS of Mariposa County
does hereby ordain as follows:

SECTION I: Chapter 2.80 entitled "DISASTER COUNCIL AND CORPS"
is hereby deleted in its entirety, and amended to read in its
e entirety as set forth in Exhibit A, entitled "Chapter 2.80 -
EMERGENCY SERVICES, DISASTER ADVISORY COUNCIL AND CORPS." attached
hereto and incorporated herein by reference.

SECTION II: This ordinance shall become effective thirty
(30) days from the date of final passage, pursuant to Government
Code Section 25123.

PASSED AND ADOPTED this 24th day of May, 1983 by
the BOARD OF SUPERVISORS of Mariposa County by the following vote:

AYES: Taber, Barrick, Erickson, Dalton, Moffitt
NOES: None
ABSENT: None
ABSTAINED: None

ERIC J. ERICKSON, Chairman
Board of Supervisors

ATTEST:

ELLEN BRONSON, County Clerk and
Ex Officio Clerk of the Board

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

RICHARD K. DENHALTER, County Counsel
MARION COUNTY ORdnance No. 880

AMENDING THE DISASTER COUNCIL AND COORDINATING PROCEDURES IN MARION COUNTY

WHEREAS, the present Disaster Procedures do not meet the

current needs of the County,

NOW, THEREFORE, the Board of Supervisors of Marion County

does hereby adopt as follows:

SECTION I: Chapter 1.80 entitled "Disaster Council and Coordination"

is hereby adopted in its entirety, and amended to read as follows

as effectively as set forth in Exhibit A entitled "Chapter 1.80

Emergency Services, Disaster Advisory Council and Coordination" attached

and incorporated herein by reference.

SECTION II: Title of the Ordinance shall become "Ordinance

(3) copies from the case of Legal Records, pursuant to Government

Code Section 82129.

PASSED AND ADDED TO THE JUDICIAL FILE OF THE COUNTY OF MARION

on the 1st day of August, 1981.

By:

[Signature]

Chairman, Board of Supervisors

ATTERT

EXPO 2 EXHIBR, CLERK

EX OFFICIO Clerk of the Board

APPROVED AS TO FORM AND LEGAL

SUFFICIENCY:

[Signature]

MICHAEL X. BAGNER, County Counsel

[Signature]

[Signature]
Chapter 2.80

EMERGENCY SERVICES, DISASTER ADVISORY COUNCIL AND CORPS

Sections:

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2.80.010 Purposes. The declared purposes of this chapter are to provide for the preparation and carrying out of plans for the protection of persons and property within Mariposa county in the event of a disaster; 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.
2.80.020 Definitions. A. Office of emergency services, disaster advisory council, and corps. This chapter makes reference to three district disaster planning and response agencies within Mariposa county.

Office of Emergency Services (OES): The agency primarily charged with planning and preparing for disaster, generally staffed by one part-time or full-time specialist in emergency services. Serves as liaison to state and federal disaster agencies for routine matters. Not normally considered a response agency, although may be called upon when special expertise is required.

Disaster Advisory Council: An advisory body composed of the heads of the various emergency response agencies within Mariposa county. The disaster advisory council advises the board of supervisors about proposed emergency plans, mutual aid agreements, and similar matters which may come before the board. The council is planning and advisory body, not a response agency.

Disaster Corps: The disaster corps is the title applied to those parts of the county government and segments of the private sector involved in response to a disaster. The corps includes county officers and employees, registered volunteers, members of private utility and emergency services, and any others so designated by the director of emergency services. The corps is the disaster response agency for the county.

B. A "local emergency" means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of Mariposa county, caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, earthquake, volcanic eruption, or other conditions, other than conditions resulting from a labor controversy or conditions causing a "state of war emergency," which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the county's emergency response agencies, and will require extraordinary efforts on the part of county government to combat.

A local emergency may be proclaimed by the director of the Mariposa office of emergency services, by his successor if he is absent or unable to serve, or by the board of supervisors. This chapter makes provision for a line of succession to the position of director to insure that there will always be someone present in the county with authority to proclaim a local emergency.

A local emergency shall not remain in effect for more than seven days unless the proclamation is ratified by the board of supervisors. Following each ratification, the board shall review, at least every fourteen days until such local emergency is terminated, the need for continuing the local emergency and shall proclaim the termination of such local emergency at the earliest possible date that conditions warrant.
C. A "state of emergency" means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the State of California, caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, earthquake, volcanic eruption, or other conditions, other than conditions resulting from a labor controversy or conditions causing a "state of war emergency," which conditions, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, and require the combined forces of mutual aid region or regions to combat.

A state of emergency is declared by the Governor of California. The chairman of the board of supervisors may request the Governor to declare a state of emergency when he finds that local resources are inadequate to cope with the emergency.

D. A "state of war emergency" means the condition which exists immediately, with or without a proclamation thereof by the Governor, whenever the State of California or any part of the United States of America is attacked by an enemy of the United States, or upon receipt by the state of a warning from the federal government indicating that such an enemy attack is probable or imminent.

2.80.030 Creation of the Mariposa Office of Emergency Services. The Mariposa office of emergency services is created, and shall consist of:

A. The director of emergency services. The chairman of the Mariposa county board of supervisors shall be the ex officio director of emergency services.

B. The emergency planning coordinator. This position will be filled on a full-time or part-time basis by an applicant appointed by the board of supervisors.

2.80.040 Powers and Duties of the Director of Emergency Services. The director of emergency services is responsible for supervising the fiscal accountability of the Mariposa office of emergency services, but has no specific day-to-day duties. In time of disaster, the director of emergency services shall assume and execute the powers and duties of director of the disaster corps. In this role he is empowered to:

A. Request the board of supervisors to proclaim the existence or threatened existence of a local emergency if the board of supervisors is in session, or to issue such proclamation on his own authority if the board of supervisors is not in session;

B. Govern and direct the effort of the county disaster corps in the accomplishment of the purposes of this chapter;

C. Direct coordination and cooperation between the chiefs of divisions of the disaster corps, and resolve questions of authority and responsibility that may arise between them;
D. Represent the disaster corps in all dealings with public or private agencies pertaining to disaster preparedness; it shall also be the duty of the director, and he is empowered, during a disaster or when a disaster is imminent to:

1. Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such disaster;
2. Obtain vital supplies, equipment and such other properties found lacking and needed for the protection of the life and property of the people, other than supplies or equipment in private homes, and bind the county for the fair value hereof and, if required immediately, to commandeer the same for public use;
3. Require emergency services of any county officer or employee;
4. Requisition necessary personnel or material of any county department or agency;
5. Execute all of his ordinary powers as a county officer, all of the special powers conferred upon him by this chapter, and all powers conferred upon him by any other lawful authority.

2.80.050 Duties of the Emergency Planning Coordinator.
A. The coordinator shall bear the primary responsibility for preparing the county to meet disasters. This is a combined planning, training and public education mission. He shall perform the daily duties necessary to keep the Mariposa office of emergency services in compliance with state and federal programs and regulations. He shall be the custodian of the Mariposa county emergency plan, and shall keep the plan up to date by testing it with periodic exercises. In time of disaster the coordinator will serve as the coordinator of the disaster corps, which makes him chief of staff to the director of emergency services for all disaster-related activities. One of the primary responsibilities of the coordinator is to prepare himself for these roles by pursuing state and federal training programs in emergency management. He shall also perform such other duties as are assigned by the director and the board of supervisors.

2.80.060 Line of Succession. A. The chairman of the board of supervisors shall be the ex officio director of emergency services and director of the disaster corps.
B. If for any reason the chairman of the board of supervisors is absent or it unable to execute the duties and powers of director of emergency services and director of the disaster corps, the vice chairman of the board of supervisors shall exercise all the powers of the director of emergency services and director of the disaster corps.
C. If the chairman and the vice chairman of the board of supervisors are both absent or unable to execute their duties, the sheriff/coroner of Mariposa county shall exercise all the powers of the director of emergency services and director of the disaster corps.

D. In the unlikely event that all three of these county officers are absent or unable to execute their duties, the ranking officer in the department of the sheriff/coroner shall exercise all the powers of the director of emergency services and director of the disaster corps.

E. All powers of the director of emergency services, or of any person or officer acting as director, shall revert to the board of supervisors immediately upon the occurrence of the next regular, special or emergency meeting of the board at which a quorum is present. Any officer may be removed from the position of director of emergency services by a vote of three supervisors, ratified at the next regular meeting of the board.

2.80.070 Membership of the Disaster Advisory Council. The Mariposa county disaster advisory council is created, and shall consist of the following:

A. The chairman of the board of supervisors, who shall be the chairman of the disaster advisory council.

B. The emergency planning coordinator, who shall be vice chairman.

C. The sheriff/coroner of Mariposa county.

D. The county health officer.

E. The commander of the Mariposa county unit of the California Highway Patrol.

F. The county fire warden.

G. The district attorney.

H. The county counsel.

I. The chief administrator of the John C. Fremont Hospital.

J. The director of the Mariposa chapter of the Red Cross.

K. Such representatives of civic, business, labor, veterans, professional, or other organizations having an official emergency responsibility, as may be appointed by the board of supervisors.

2.80.080 Powers and Duties of the Disaster Advisory Council. A. It shall be the duty of the Mariposa county disaster advisory council, and it is empowered to:

1. Assist the Mariposa office of emergency services in developing a plan for meeting any condition constituting a local emergency, state of emergency, or state of war emergency. Such plan shall provide for the effective mobilization of all of the resources within the county, both public and private;

2. Prepare and recommend for consideration by the board of supervisors ordinances necessary to implement the disaster plan;
3. Consider and recommend to the board of **supervisors** for approval mutual aid plans and agreements.

B. The disaster advisory 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.

*2.80.090 Membership of the Disaster Corps.* The Mariposa county disaster corps is created, and shall consist of the officers and employees of the county, together with those volunteer forces enrolled to aid them during a disaster, and all groups, organizations and persons who may by agreement or operation of law be charged with duties incident to the protection of life and property in the county during such disaster.

*2.80.100 Disaster Corps, Divisions.* The functions and duties of the county disaster corps shall be distributed among the following divisions of such corps, each division to be under the direction of a chief, and in his absence, the first deputy and second deputy chief, respectively, appointed by the chief. The division is to consist of the following forces, organizations and services and such other forces, organizations or services as may be included pursuant to the provisions of this chapter. The chiefs of divisions shall be custodians of special equipment and other property which may be obtained from any source and assigned to such division by the director. Each division shall be responsible for the registration of volunteers, and shall transmit the names of such volunteers to the director.

*2.80.110 Disaster Corps: Law and Coroner Division.* The law and coroner division shall be under and subject to the control of the sheriff/coroner, who shall be chief of the division. The division shall consist of the sheriff, undersheriff, deputy sheriffs, jail officers, reserve officers, search & rescue personnel, the constable, mortuary personnel, and volunteers who may be registered by the division. The function of this division is to maintain law and order, to provide for the identification and sanitary storage or disposal of corpses, and to perform rescue and other duties as appropriate.

*2.80.120 Disaster Corps: Fire Division.* The fire division shall be under and subject to the control of the county fire warden. The division shall consist of all personnel assigned to the fire warden, including volunteer fire fighters registered by the county. The function of this division is to prevent, suppress and control fires, and to perform rescue, mass feeding, and hazardous materials control duties as appropriate.

*2.80.130 Disaster Corps: Health Division.* The medical division shall be under and subject to the control of the county health officer or his designated disaster medical officer, one of whom shall be the chief of the medical division. The division shall consist of health department personnel and
medical service volunteers who may be registered by the division. The health division has various legal responsibilities relating to hazardous materials emergencies, epidemics, sanitation, and miscellaneous other health subjects.

2.80.140 Disaster Corps: Hospital Division. The hospital division shall be under and subject to the control of the administrator of the John C. Fremont Hospital, who shall be the chief of the hospital division. The division shall consist of John C. Fremont hospital personnel and medical service volunteers who may be registered by the division. This division has the primary responsibility for providing emergency medical care to disaster victims.

2.80.150 Disaster Corps: Public Works Division. The public works division shall be under and subject to the control of the county road commissioner/county surveyor/county engineer, who shall be the chief thereof, and consists of all county employees who may be so designated by the chief of the division, and volunteers who may be registered by the division.

2.80.160 Disaster Corps: Utilities Division. The utilities division shall be under and subject to the control of the local Pacific Gas & Electric manager who shall be the chief thereof, and shall consist of all PG&E personnel assigned by the chief.

2.80.170 Disaster Corps: Communications Division. The communications division shall be under and subject to the control of the emergency planning coordinator, who shall be the chief of the division. The communications division shall consist of all telephone company personnel, amateur radio operators, citizen's band radio operators, and volunteers who may be registered by the division. The function of this division is to multiply the channels of communication available to the disaster corps to guard against system failures and to provide for the increase in emergency traffic which accompanies disaster operations.

2.80.180 Disaster Corps: American Red Cross. The chief of the American Red Cross division shall be the chairman of the Mariposa county chapter of the American Red Cross, or such other official as the American Red Cross may designate. The division shall consist of all the personnel of the American Red Cross within the county, together with such volunteers as may be registered by the division. The primary responsibility of the Red Cross will be the care of disaster victims in congregate care facilities.
2.80.190 Disaster Corps: Public Information Division. The public information division shall be under and subject to the control of a chief designated by the director, said chief to act as the public information officer (PIO) for the county during the crisis. All communications with members of the press will be channeled through this division.

2.80.200 Disaster Corps: Volunteer and Rumor Control Division. The volunteer and rumor control division shall be under and subject to the control of the county mental health director, who shall be the chief of the division. The division shall consist of mental health department personnel and such volunteers as may be registered by the division. The function of this division will be to coordinate volunteer assistance between private parties, and to serve as a general information interface between Mariposa county residents and the disaster corps.

2.80.210 Disaster Corps: Damage Assessment Division. The damage assessment division shall be under and subject to the control of the county assessor, who shall be the chief of this division. The division shall consist of personnel with professional experience in estimating the value of buildings and real estate, together with such volunteers as may be registered with the division. The function of this division is to provide the director of emergency services with a monetary figure representing the amount of damage which has been suffered by the county. This figure is essential for obtaining state or federal disaster assistance for the county.

2.80.220 Disaster Corps: Building Inspection Division. The building inspection division is under and subject to the control of the county chief building inspector, who shall be the chief thereof. The division consists of building department personnel together with qualified volunteers registered by the division. The function of this division is to examine damaged and potentially damaged buildings within the county to determine their suitability for reoccupation following a disaster.

2.80.230 Disaster Corps: Miscellaneous Services Division. The miscellaneous services division is under and subject to the control of the coordinator, who shall be the chief thereof. The division consists of personnel with miscellaneous capabilities relating to disaster response, such as radiological defense monitors, fallout shelter managers, cooks, snowmobile operators, cross-country skiers, private pilots, truckers, contractors, or other citizens of the county whose expertise and abilities might be needed in
time of disaster, but who are not otherwise provided for in this chapter. The functions of this division shall be determined by the nature of the emergency.

2.80.240 Reconstruction Permits. All contractors wishing to engage in repairs or reconstruction work necessitated by conditions of disaster must obtain permits and copies of disaster damage inspection forms from the county building department before proceeding with any work. In addition, the contractor must be registered with the building department before a permit may be issued.

2.80.250 Status of Registered Volunteers. All persons, other than officers and employees of the county, volunteering services pursuant to the provisions of this chapter, and being registered with one of the divisions of the disaster corps, shall serve without compensation from the county. While engaged in such services, they shall have the same privileges and immunities as officers and employees of the county performing similar duties.

2.80.260 Status of Unregistered Volunteers. Persons who participate in disaster operations without being officially registered with any division of the disaster corps do so as private citizens. Such persons will not be compensated or insured by the county, and will be personally liable for their actions.

2.80.270 Authority to Command Aid of Citizens. Public officers, employees, and registered volunteers are authorized to command the aid of citizens when necessary in the execution of their duties during a state of war emergency, a state of emergency, or a local emergency.

2.80.280 Test Exercises. It will be one of the duties of the coordinator to conduct periodic test exercises for the purpose of training personnel and testing the provisions of the Mariposa county emergency plan. With respect to any such test exercise, however, no one shall have the power to command the assistance of any private citizen, and the failure of a citizen to obey any order or regulation pertaining to a test exercise shall not constitute a violation of any law.

2.80.290 Punishment of Violation. It shall be a misdemeanor, punishable by a fine not to exceed five hundred dollars or by imprisonment not to exceed six months, or both, for a person during an officially proclaimed state of war emergency, state of emergency, or local emergency, to:

A. Wilfully obstruct, hinder or delay any member of the disaster corps 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 a nature as to give or be likely to give assistance to the enemy or to imperil the lives and property of other 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 disaster corps identification.