

Government Code Section 8630

GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980]

(Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 1. GENERAL [8000 - 8899.24]

(Division 1 enacted by Stats. 1943, Ch. 134.)

CHAPTER 7. California Emergency Services Act [8550 - 8668]

(Chapter 7 added by Stats. 1970, Ch. 1454.)

ARTICLE 14. Local Emergency [8630 - 8634]

(Article 14 added by Stats. 1970, Ch. 1454.)

8630.

(a) A local emergency may be proclaimed only by the governing body of a city, county, or city and county, or by an official designated by ordinance adopted by that governing body.

(b) Whenever a local emergency is proclaimed by an official designated by ordinance, the local emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the governing body.

(c) The governing body shall review the need for continuing the local emergency at least once every 30 days until the governing body terminates the local emergency.

(d) The governing body shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant.

(Amended by Stats. 2009, Ch. 6, Sec. 1. Effective January 1, 2010.)

Section 3-1-6 (a) of the Codified Ordinances of the County of Orange

- **Sec. 3-1-6. - Director of Emergency Services.**

By resolution adopted pursuant to this Article, the Board of Supervisors shall designate a Director of Emergency Services. The Director of Emergency Services shall have the following duties and powers:

(a) Emergency proclamations.

(1) *Board in session.* If the Board of Supervisors is in session, the Director of Emergency Services shall request that the Board of Supervisors proclaim the existence or threatened existence of a "local emergency," and recommend that the Board of Supervisors request that the Governor proclaim a "state of emergency" when, in the opinion of the Director of Emergency Services, the locally available resources are inadequate to cope with the emergency.

(2) *Board not in session—Emergency Management Council Chair.* In the event the Board of Supervisors is not in session, the Director of Emergency Services shall request the Chair of the Emergency Management Council to issue a proclamation of local emergency. The Chair of the Emergency Management Council is hereby designated to proclaim a local emergency when the Board of Supervisors is not in session.

(3) *Board not in session—Emergency Management Council Chair absent.* In the event Emergency Management Council Chair and alternate are absent, the Chair of the Board of Supervisors, or successor as set forth in the applicable Board resolution, is hereby designated to proclaim a local emergency when requested by the Director of Emergency Services when the Board is not in session.

(4) *Director of Emergency Services.* The Director of Emergency Services is hereby designated to proclaim a local emergency when the board is not in session, and when the Emergency Management Council Chair and alternate, and all members of the Board of Supervisors are absent.

(b) *Emergency powers.* In the event of a proclamation of 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 of Emergency Services is hereby empowered to:

(1) *Rules and regulations.* Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency.

(2) *Obtain supplies and equipment.* Obtain vital supplies, equipment, and any 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.

(3) *Command the aid of citizens.* Require emergency services of any County officer or employee and, in the event of a state of war emergency, state of emergency, or local emergency, command the aid of as many citizens of this County as (s)/he deems necessary in the execution of his/her duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for disaster services workers.

(4) *Requisition county personnel and material.* Requisition necessary personnel or material of any County agency/ department.

(c) *Initial emergency measures.* All emergency measures taken by the Director of Emergency Services prior to the issuance of an official proclamation of emergency, or prior to any decision of the Board not to issue such proclamation, shall be legal and binding upon the County.

(Ord. No. 98-4, §§ 1, 2, 4-14-98; Ord. No. 98-15, § 25, 12-8-98)