SCC NO. _____

AN ORDINANCE AMENDING SECTION 2.46.030 and 2.46.130 OF CHAPTER 2.46, TITLE 2 OF THE SACRAMENTO COUNTY CODE RELATING TO THE DECLARATION OF A PUBLIC HEALTH EMERGENCY

The Board of Supervisors of the County of Sacramento, State of California, ordains as follows:

SECTION 1. Section 2.46.030 of Chapter 2.46, Title 2, of the Sacramento County Code is hereby amended to read as follows:

2.46.030 Definitions. As used in this chapter:

1. "Cities" means the cities of Sacramento, Folsom, Galt, Isleton, Citrus Heights, Elk Grove and Rancho Cordova;
2. "Coordinator" means the emergency operations coordinator of the Sacramento County emergency operations office;
3. "Director" means the County Executive of Sacramento County or his designee;
4. "Disaster commission" means the Sacramento County disaster commission established in Section 2.46.040;
5. "Emergency" means the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within Sacramento County caused by such conditions as air pollution, fire, flood, storm, epidemic, civil disturbance, earthquake or other conditions, including conditions resulting from war or imminent threat of war, which conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of Sacramento County requiring the combined forces of other political subdivisions to combat;
6. " Health Officer" means the Sacramento County Health Officer who has been appointed by the Board of Supervisors and fulfills those responsibilities and duties referenced in Sacramento County Code Section 2.21.070.
7. "Political subdivision" means the County and any city, district, or other local governmental agency or public agency authorized by law within the County;
8. "Sacramento County emergency operations office" means the personnel employed by the County of Sacramento to create and administer emergency plans and which is administered by the coordinator;
9. "Service chief" means any person who has been appointed in accordance with Section 2.46.090 and who controls and directs individuals or employees performing emergency functions such as law enforcement, fire, medical and other public services in the protection of life and property within Sacramento County.

SECTION 2. Section 2.46.130 of Chapter 2.46, Title 2, of the Sacramento County Code is hereby amended to read as follows:

2.46.130 State of Local Emergency--Declaration--Powers.

a. The chairman of the Board of Supervisors, or in his absence, the vice-chairman, or in their absence the County Executive, is empowered to proclaim a state of local emergency in Sacramento County when he finds that the circumstances described in Section 2.46.030(a) exist. Any such emergency shall be subject to the ratification and review requirements of Government Code Section 8630.

b. The County Health Officer is empowered to proclaim a state of local emergency in Sacramento County only when s/he finds that conditions of disaster or of extreme peril to the safety of persons within Sacramento County are caused by such health conditions as epidemic or similar health conditions, which conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of Sacramento County requiring the combined forces of other political subdivisions to combat;

c. In the event of a duly proclaimed state of local emergency, the chairman of the Board of Supervisors, the vice-chairman, the County Executive or the County Health Officer shall have the power during the existence of such emergency conditions to:

1. Issue any rules or regulations, including, but not limited to, the imposition of curfew, when essential to the immediate protection of life and property. Such rules or regulations shall be confirmed at the earliest practicable time by the board;

2. Require the emergency services of any officer or employee of the County or any other political subdivision, and to requisition the aid of as many citizens within the 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 emergency service volunteers;

3. Order into service necessary property or material from any County department or agency or any other political subdivision, and in addition, requisition private property or material deemed by him necessary in carrying out his responsibilities for which the County shall pay a reasonable value thereof.

4. To execute all ordinary powers, all special powers conferred upon him by this chapter or by resolution adopted pursuant thereto and to be responsible for and exercise emergency control over the County. To facilitate the exercise of such unified emergency control, all police power vested in the Board of Supervisors by the Constitution and general laws may be exercised by the chairman, County Board of Supervisors, the vice-chairman ~~or~~ the County Executive or County Health Officer.

SECTION 3. This ordinance was introduced and the title thereof read at the regular meeting of the Board of Supervisors on _____ and on

_____ further reading was waived by the unanimous vote of the Supervisors present.

This ordinance shall take effect and be in full force on and after thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days from the date of its passage it shall be published once with the names of the members of the Board of Supervisors voting for and against the same, said publication to be made in a newspaper of general circulation published in the County of Sacramento.

On a motion by Supervisor _____, seconded by Supervisor _____, the foregoing ordinance was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, this ____ day of _____, 2003, by the following vote:

AYES: Supervisors,

NOES: Supervisors,

ABSENT: Supervisors,

_____
Chairperson of the Board of Supervisors
of Sacramento County California

(SEAL)

ATTEST:_____
Clerk of the
Board of Supervisors

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