

ORDINANCE NO. 10510 (N.S.)

AN ORDINANCE AMENDING SECTION 31.103
OF THE COUNTY OF SAN DIEGO CODE OF REGULATORY
ORDINANCES RELATING TO EMERGENCY SERVICES

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Section 31.103 of the County of San Diego Code of Regulatory Ordinances is amended to read as follows:

SEC. 31.103. EMERGENCY SERVICES IN THE COUNTY.

(a) Director of Emergency Services; Succession; Statutory Designations

(1) The County Chief Administrative Officer (CAO) shall be the County of San Diego Director of Emergency Services ("Director") and shall be responsible for the operational response to an emergency. In the event the CAO is unavailable to serve as Director, the person(s) designated as the CAO's successor as Director of Emergency Services are, in order of succession, the Assistant Chief Administrative Officer (ACAO), the Deputy Chief Administrative Officer of the Public Safety Group (DCAO-PSG), and the Director of the Office of Emergency Services.

(2) The Board of Supervisors for the County of San Diego hereby designates the County of San Diego Director of Emergency Services, and in the event the Director is unavailable, the Director's successors as set forth above, as the County of San Diego official(s) who may proclaim local emergencies, promulgate orders and regulations, and command the aid of citizens, in the County of San Diego Operational Area pursuant to the California Emergency Services Act, including but not limited to Government Code sections 8610, 8630 and 8634.

(b) County of San Diego Operational Area

Pursuant to the Joint Exercise of Powers Act (Government Code sections 6500 et seq.) and the California Emergency Services Act (Government Code sections 8550 et seq.), the County of San Diego and incorporated cities have entered into a joint powers agreement entitled the "Unified San Diego County Emergency Services Agreement" ("Emergency Services Agreement"). The Emergency Services Agreement establishes the Unified San Diego County Emergency Services Organization ("USDCESO") and Unified Disaster Council ("UDC"). The Emergency Services Agreement organizes and structures the

County of San Diego Operational Area and provides for unified and coordinated emergency services among the parties to the Emergency Services Agreement. The purpose of USDCESO, the UDC and the Emergency Services Agreement is to coordinate and facilitate regional plans and programs for the preservation and safety of life and property, and to make provisions for the execution of plans, programs and mutual aid assistance in the event of emergencies or disasters without limiting statutory jurisdictional authority.

(c) Emergency Services In The Unincorporated Areas Only of the Operational Area

(1) The Director of Emergency Services is authorized to:

(A) Control and direct the efforts of the emergency services organization of the unincorporated area and to implement the County of San Diego Operational Area Emergency Plan.

(B) Request the Board proclaim the existence or threatened existence of a countywide local emergency if the Board is in session or proclaim a local emergency if the Board is not in session, subject to ratification by the Board within seven days.

(C) Direct the coordination and cooperation between public and private agencies located in the unincorporated area and staff of the emergency services organization and resolve questions of authority and responsibility that may arise among them.

(2) Whenever a state of war emergency exists, the Governor or the Director of the State Office of Emergency Services proclaims a state of emergency or a local emergency is proclaimed in the unincorporated area, the Director of Emergency Services is empowered to:

(A) Make and issue rules and regulations on matters within the County of San Diego's police power, provided the rules and regulations are confirmed by the Board of Supervisors at the earliest possible time.

(B) Obtain vital resources for the protection of life and property and bind the County of San Diego for the fair market value of the resources and if necessary, commandeer the resources for public use.

(C) Require emergency services of any County officer or employee and to command the aid of as many citizens as may be necessary. Any person required to serve under this paragraph shall be entitled to all privileges, benefits and immunities as are provided by State law for registered disaster service workers.

(D) Requisition necessary personnel or material of any County department or agency.

Meeting Date: 12/05/17 (27)

(E) Execute all of the special powers conferred by this chapter or by resolution adopted pursuant to this chapter, all powers conferred by any statute or agreement approved by the Board of Supervisors or any other lawful authority and to exercise all police powers vested in the County of San Diego by the State Constitution and general laws. Nothing in this section is intended to limit any of the powers or authority conferred by federal or state law.

Section 2. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in a newspaper of general circulation published in the County of San Diego.

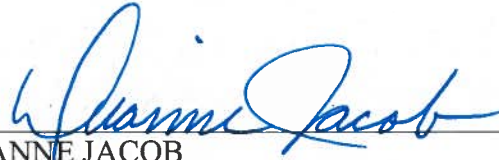
APPROVED AS TO FORM AND LEGALITY

THOMAS E. MONTGOMERY, COUNTY COUNSEL

By: William L. Pettingill, Chief Deputy

Meeting Date: 12/05/17 (27)

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 5th day of December, 2017.



DIANNE JACOB
Chairwoman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Gaspar, Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 5th day of December, 2017.

DAVID HALL
Clerk of the Board of Supervisors

By D. Lopez
Diana Lopez, Deputy



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