

ORDINANCE NO. .
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,
STATE OF CALIFORNIA

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**AN ORDINANCE AMENDING SECTION 2.00.020 AND VARIOUS SECTIONS OF
CHAPTER 2.46 AND ADDING CHAPTER 2.18 AND SECTION 2.46.130 OF THE SAN
MATEO COUNTY ORDINANCE CODE TO REORGANIZE COUNTY DEPARTMENTS**

The Board of Supervisors of the County of San Mateo, State of California,
ORDAINS as follows:

SECTION 1. Section 2.00.020 of Chapter 2.00 of Article 2.0 of the San Mateo County Ordinance Code is hereby amended to read as follows:

2.00.020 - County departments.

- a) Agriculture/Weights and Measures;
- b) Assessor-County Clerk-Recorder;
- c) Child Support Services;
- d) Controller;
- e) Coroner;
- f) County Counsel;
- g) County Manager/Clerk of the Board of Supervisors;
- h) District Attorney;
- i) Emergency Management
- j) Health System;
- k) Housing;
- l) Human Resources;
- m) Human Services;
- n) Information Services;
- o) Parks;
- p) Planning and Building;
- q) Probation;
- r) Public Safety Communications
- s) Public Works;
- t) Sheriff;
- u) Sustainability;
- v) Tax Collector-Treasurer;
- w) Five departments, one for each Office of Supervisor.

SECTION 2. Section 2.46.040 of Chapter 2.46 of Article 2.4 of the San Mateo County Ordinance Code is hereby amended to read as follows:

2.46.040 - Disaster Council powers and duties.

It shall be the duty of the San Mateo County Emergency Services Council, and it is hereby empowered, to work in coordination with local government entities within and neighboring the County of San Mateo to review, approve, and recommend for adoption by the Board of Supervisors and other legislative agencies, such emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements. The Emergency Services Council shall meet upon call of the Chair or, in the Chair's absence from the County or inability to call such meeting, upon the call of the Vice Chair.

SECTION 3. Section 2.46.050 of Chapter 2.46 of Article 2.4 of the San Mateo County Ordinance Code is hereby amended to read as follows:

2.46.050 - Director of Emergency Services.

There is hereby created the position of Director of Emergency Services. The County Manager shall be Director of Emergency Services, and may appoint such designees or assistants as are necessary to discharge the duties of Director of Emergency Services.

SECTION 4. Section 2.46.060 of Chapter 2.46 of Article 2.4 of the San Mateo County Ordinance Code is hereby amended to read as follows:

2.46.060 - Powers and duties of the Director of Emergency Services.

The Director is hereby empowered and shall assume the duty 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 if the Board of Supervisors is not in session. Whenever a local emergency is proclaimed by the Director, the local emergency shall not remain in effect for a period in excess of seven days thereafter unless the proclamation has been ratified by the Board of Supervisors within said seven-day period. The Board of Supervisors shall review, at least every thirty (30) 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.
- b) Request the Governor to proclaim a "state of emergency" when, in the opinion of the Director, the locally available resources are inadequate to cope with the emergency.
- c) Control and direct the effort of the emergency organization of this County for the accomplishment of the purposes of this chapter.
- d) Direct cooperation between and coordination of services and staff of the emergency organization of this County, and resolve questions of authority and responsibility that may arise between them.
- e) Represent the County in all dealings with public or private agencies pertaining to emergencies as defined herein.
- f) 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 further empowered:

1. 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 shall be submitted to the Board of Supervisors for confirmation at the earliest practicable time.
2. To obtain vital supplies, equipment, and such 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. To require emergency services of any County officer or employee and, in the event of the proclamation of a "state of emergency" by the Governor or the Director of the State Office of Emergency Services in this County or in the mutual aid region within which this County is located, or in the event of a "state of war emergency," to command the aid of as many citizens of this County as he deems necessary in the execution of his duties. Such persons shall act as disaster service workers, and shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers.
4. To requisition necessary personnel or material of any County department or agency.
5. To execute all of his ordinary powers as County Manager, all of the special powers conferred upon him by this chapter or by resolution or emergency plan pursuant hereto adopted by the Board of Supervisors, all powers conferred upon him by any statute, by any agreement approved by the Board of Supervisors, and by any other lawful authority.

SECTION 5. Section 2.46.090 of Chapter 2.46 of Article 2.4 of the San Mateo County Ordinance Code is hereby amended to read as follows:

2.46.090 - Succession to position of Director of Emergency Services.

If for any reason the Director of Emergency Services is unable to carry out his duties as provided in this chapter, then the Assistant County Manager shall serve as Acting Director of Emergency Services, with all of the powers and duties provided in this chapter, until such time as the Director of Emergency Services is able to carry out such duties. If for any reason the Assistant County Manager is unable to serve as Acting Director, then the Sheriff or, if he or she is unable to serve, the Director of Emergency Management, or, if he or she is unable to serve, the Director of Public Works, or, if he or she is unable to serve, the District Attorney, or, if he or she is unable to serve, any other County officer or employee duly appointed by the Board of Supervisors shall serve as Acting Director with all of the powers and duties provided in this chapter.

SECTION 6. Section 2.46.110 of Chapter 2.46 of Article 2.4 of the San Mateo County Ordinance Code is hereby amended to read as follows:

2.46.110 - Emergency plan.

- a) The San Mateo County Emergency Services Council shall be responsible for approving the County of San Mateo Emergency Plan developed by the Department of Emergency Management. This plan shall provide for the effective mobilization of all of the resources of this County, 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, establishment and designation of divisions and services, the assignment of functions, powers and duties, and the designation of the staff of the emergency organization. Such plan shall take effect upon adoption by resolution of the Board of Supervisors and other local legislative agencies.
- b) The County of San Mateo and the political subdivisions thereof, pursuant to the California Emergency Services Act, are designated an operational area. The operational area shall be organized and structured as provided by agreement between the governing bodies of the County and the cities therein.

SECTION 7. Section 2.46.120 of Chapter 2.46 of Article 2.4 of the San Mateo County Ordinance Code is hereby amended to read as follows

2.46.120 - Punishment of violation.

It shall be a misdemeanor, punishable by a fine of not to exceed five hundred dollars (\$500.00), or by imprisonment for not to exceed six months, or both, for any person, during a state of war emergency, state of emergency, or local emergency, to:

- a) Willfully obstruct, hinder, or delay any member of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter, or in the performance of any duty imposed by virtue of this chapter.
- b) Do any act forbidden by any lawful rules or regulations 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 County, 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.

SECTION 8. Section 2.46.130 is added to Chapter 2.46 of Article 2.4 of the San Mateo County Ordinance Code, to be numbered and entitled and to read as follows:

2.46.130 - Department of Emergency Management; Director; Responsibilities

- a) There is established the Department of Emergency Management, under the direction and management of the Director of Emergency Management. The Director of Emergency Management shall be appointed by and be under the administrative supervision of the County Manager as Director of Emergency Services.
- b) The Department of Emergency Management shall:

1. Provide comprehensive emergency management and coordinate County resources to protect lives, property, and the environment through mitigation, preparedness, response, and recovery from all disasters and hazards.
2. Coordinate the County's participation in the San Mateo County Emergency Services Council, including the preparation and development of area-wide Emergency Plans.
3. Coordinate and maintain an area-wide emergency communications service, including public alert and warning systems.
4. Develop and support an area-wide public education and information program for emergency preparedness.
5. Ensure training and exercising of all County employees identified as Disaster Service Workers by Section 3100 of the Government Code, and provide support for Member Agencies in the training and exercise of their employees.
6. Coordinate and assist in the procurement and inventory of emergency equipment and the management, maintenance, and distribution of area-wide inventories of vital supplies and equipment
7. Staff the Regional Operations Center during emergencies.
8. Have such other powers and perform such other duties as may be assigned by the Director of Emergency Services.

SECTION 9. Chapter 2.18 is added to Article 2.1 of the San Mateo County Ordinance Code, to be numbered and entitled and to read as follows:

CHAPTER 2.18 DEPARTMENT OF PUBLIC SAFETY COMMUNICATIONS

2.18.010 - Department of Public Safety Communications; Director

There is established the Department of Public Safety Communications, under the direction and management of a Director of Public Safety Communications. The Director of Public Safety Communications shall be appointed by and be under the administrative supervision of the County Manager.

2.18.020 - Responsibilities of Department of Public Safety Communications

The Department of Public Safety Communications shall be responsible for operating the County's 9-1-1 Center and answering both emergency and non-emergency calls in order to dispatch law enforcement and fire and emergency medical services, coordinating and tracking mutual aid resources coming into or leaving San Mateo County, and managing other public safety communications related activities and responsibilities as assigned by the County Manager or the Board of Supervisors.

SECTION 10. This Ordinance shall be effective thirty days after adoption.

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