

## **ANALYSIS**

This ordinance amends various provisions of Chapter 2.68 - Emergency Services (25) of the Los Angeles County Code to make it consistent with the state's Standardized Emergency Management System, to modify the membership of the County's Emergency Management Council, to add a Director of Recovery Operations, to substitute gender-neutral terms, and to make other minor changes which reflect current nomenclature or practice.

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KAL:gl

8/9/02 (requested)

8/9/02 (revised)

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Title 2 - Administration of the Los Angeles County Code to update Chapter 2.68 - Emergency Services (25), to conform to current law and practice.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Section 2.68.020 is hereby amended to read as follows:

**2.68.020 Purpose.**

The declared purposes of this chapter are to provide for the preparation and carrying out of plans for the protection of life and property within the county of Los Angeles in the event of an emergency; the establishment, coordination and direction of the Los Angeles County operational area and emergency organization; the establishment, coordination and direction of the county of Los Angeles emergency management council; the establishment, coordination and direction of the county of Los Angeles office of emergency management; and the coordination of the preparatory and emergency functions of the county of Los Angeles with all other public agencies, organizations and individuals.

**SECTION 2.** Section 2.68.050 is hereby amended to read as follows:

**2.68.050 Definitions.**

- A. "Board" means the board of supervisors of the county of Los Angeles;
- B. "California Emergency Services Act" means Chapter 7 of Division 1 of Title 2 of the Government Code, now comprising Sections 8550 to 8668, inclusive, and as amended;

C. “Chairman” means the chairman of the board of supervisors of the county of Los Angeles;

D. “Chief administrative officer” means the chief administrative officer of the county of Los Angeles;

E. “Sheriff” means the sheriff of the county of Los Angeles;

F. “Forester and fire warden and/or fire chief” means the forester and fire warden of the county of Los Angeles and the fire chief of the Consolidated Fire Protection District of the county of Los Angeles;

G. “County” means the county of Los Angeles;

H. “County district” or variance thereof includes the Los Angeles County Flood Control District, the Consolidated Fire Protection District within Los Angeles County, every county waterworks district within Los Angeles County, and every other type of district within Los Angeles County the governing body of which is the board;

I. “Emergency preparedness commission” means the emergency preparedness commission for the county and cities of Los Angeles;

J. “Emergency” includes a “local emergency,” “state of emergency,” and a “state of war emergency” as defined in the California Emergency Services Act;

K. “Operational area-~~organization~~” means the Los Angeles County operational area-~~organization~~, which is an intermediate level of the State Emergency Services Organization, consisting of the county and all political subdivisions within the county;

L. “Person” includes every person, firm and corporation;

M. "Section" means a section of this chapter unless some other ordinance or statute is specifically mentioned;

N. "Shall" is mandatory and "may" is permissive;

O. "State" or variance thereof means the state of California.

**SECTION 3.** Section 2.68.060 is hereby amended to read as follows:

**2.68.060 County emergency organization.**

A. The county emergency organization shall be comprised of All officers and employees of the county, ~~together with these~~ volunteer forces registered to aid ~~them~~ the county during a duly proclaimed emergency, and all groups, organizations and persons who may by agreement or operation of law, (including persons impressed into service under the provisions of Section 2.68.220(C) of this chapter), be charged with duties incident to the protection of life and property in Los Angeles County during such emergency ~~shall constitute the county emergency organization.~~ The county emergency organization includes the American Red Cross, the Salvation Army, the Los Angeles County Medical Association, ~~Hospital Council~~ Healthcare Association of Southern California, National Defense Transportation Association, Associated General Contractors of California, Engineering Contractors Association, American Society of Civil Engineers, Civil Air Patrol, and such other organizations and groups as may offer and have their services accepted prior to, during or after an emergency.

B. Under the direction of the emergency management council, the county emergency organization shall be exercised in whole or in part, at least annually. ~~The responsibility for coordinating the exercise shall be rotated among the voting members of the emergency management council.~~

**SECTION 4.** Section 2.68.070 is hereby amended to read as follows:

**2.68.070 Los Angeles County operational area organization.**

~~Pursuant to the provisions of the California Emergency Services Act, the Los Angeles County operational area organization is created to serve in a "state of war" emergency as a link in the system of communications and coordination between the state's emergency operating centers and the emergency operating centers of the county, county districts, and cities comprising the operational area. In the event of a major nonwar emergency, the Los Angeles County operational area organization may be activated in whole or in part to serve all or a portion of Los Angeles County upon request of the governing bodies of the affected jurisdictions or their authorized officials and with the concurrence of the chairman, or in his absence in the following priority order, the chief administrative officer or the sheriff.~~

Pursuant to the provisions of the California Emergency Services Act, Government Code section 8550 et seq. and the state's Standardized Emergency Management System (SEMS), the Los Angeles County operational area is defined as an intermediate level of the state emergency services organization consisting of the county and all political subdivisions within the county area. The county of Los Angeles is the lead agency for the operational area, and the board of supervisors is its governing body.

The operational area emergency operations center shall be activated and SEMS used when any of the following conditions exist:

A. A local government within the operational area has activated its emergency operations center (EOC) and requested activation of the operational area EOC to support its emergency operations;

B. Two or more cities within the operational area have proclaimed a local emergency;

C. The county and one or more cities have proclaimed a local emergency;

D. A city, a city and the county, or the county has requested the governor's proclamation of a state of emergency;

E. A state of emergency is proclaimed by the governor for the county or two or more cities within the operational area;

F. The operational area is requesting resources from outside its boundaries, except for those resources used in normal day-to-day operations and obtained through existing agreements;

G. The operational area has received resource requests from outside its boundaries, except those resources used in normal day-to-day operations and obtained through existing agreements.

**SECTION 5.** Section 2.68.080 is hereby amended to read as follows:

**2.68.080 Powers.**

The board specifically reserves the power to initiate, coordinate and direct, except as otherwise provided, all activities made necessary by war or as the result of an emergency which directly affects the county government and requires organized community action within Los Angeles County. The initiation, coordination and direction provided for in this section may be expressed by the chairman.

**SECTION 6.** Section 2.68.100 is hereby amended to read as follows:

**2.68.100 Chairman designated as operational area coordinator.**

The chairman is hereby designated the operational area coordinator, with responsibility for ~~coordinating mutual aid and interjurisdictional emergency operations during a state of war emergency and other types of emergency as may be agreed upon by local governments in Los Angeles County. Coordination will be exercised as prescribed in this chapter and in approved emergency and mutual aid plans.~~ activating the operational area to coordinate interjurisdictional emergency operations during a “state-of-war emergency” and, in accordance with SEMS, natural and manmade emergencies. In the absence of the chair, in the following priority order, the chief administrative officer or the sheriff may activate the operational area.

**SECTION 7.** Section 2.68.110 is hereby amended to read as follows:

**2.68.110 Local emergency -- Authority to proclaim – Ratification.**

The board, or if the board is not in session, in the following priority order, the chairman, the chief administrative officer or the sheriff may proclaim a local emergency. Whenever a local emergency is proclaimed by an authorized county officer, the board of supervisors shall take action to ratify the proclamation within seven days thereafter or the proclamation shall have no further force or effect.

**SECTION 8.** Section 2.68.120 is hereby amended to read as follows:

**2.68.120 Local emergency – Termination.**

Pursuant to the Emergency Services Act, the board shall review at least every 14 days the need to continue the local emergency 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 practicable date that conditions warrant.

**SECTION 9.** Section 2.68.130 is hereby amended to read as follows:

**2.68.130 State of emergency -- Who may request – Conditions.**

The board, or if the board is not in session, in the following priority order, the chairman, the chief administrative officer, or the sheriff, may request the Governor to proclaim a state of emergency where there are conditions of disaster or of extreme peril to the safety of life and property within the ~~county caused by such conditions as air pollution, oil or chemical spill, fire, flood, storm, riot, earthquake or other conditions,~~ operational area and by reason of their magnitude, ~~other than conditions resulting from a labor controversy or conditions causing a “state or war emergency,” which conditions,~~

are likely to be beyond the control of the ~~county~~operational area, and require the forces of a mutual aid region or regions to combat. Conditions of disaster include, but are not limited to, air pollution, hazardous materials releases, fire, flood, extreme weather, riot, earthquake, acts of terrorism or other emergency conditions other than those resulting from a labor controversy or conditions causing a “state-of-war emergency.”

**SECTION 10.** Section 2.68.140 is hereby amended to read as follows:

**2.68.140 Mobilization of county emergency organization.**

The board, or if the board is not in session, in the following priority order, the ~~chairman~~, the chief administrative officer or the sheriff, following a duly proclaimed local emergency or a proclaimed state of emergency, shall have responsibility for requiring the partial or total mobilization of the county emergency organization, if deemed necessary to afford prompt protection and relief to stricken areas.

**SECTION 11.** Section 2.68.150 is hereby amended to read as follows:

**2.68.150 Authority for emergency orders and regulations.**

The board, to provide prompt response to emergency situations following the proclamation of a local emergency as authorized in this chapter, the proclamation of a state of emergency, or the existence of a state-of-war emergency, specifically delegates, in the following priority order, to the ~~chairman~~, the chief administrative officer or the sheriff, authority to promulgate orders and regulations to provide for the protection of life and property, including but not limited to orders and regulations imposing a curfew within designated boundaries, where necessary to preserve the public order and safety. Such orders and regulations should, when circumstances

permit, be jointly concurred in, but may be independently promulgated when the situation makes concurrence impractical. All such orders and regulations to be effective must be in writing and signed by the promulgating official, and must be confirmed at the next regular meeting of the board.

**SECTION 12.** Section 2.68.160 is hereby amended to read as follows:

**2.68.160 Created – Membership.**

The county of Los Angeles emergency management council is created and will consist of the following:

- A. The chief administrative officer, who shall be chairman;
- B. The sheriff, who shall be vice-chairman;
- C. The fire chief ~~forester and fire warden~~;
- D. The director, department of public works;
- E. ~~The chief, medical and health services~~ The director, department of health services;
- F. The director, internal services department;
- G. The director, department of public social services;
- H. ~~The county counsel, who shall be an ex officio member and without vote~~; The director, department of the coroner;
- I. ~~The chief medical examiner coroner, who shall be an ex officio member and without vote~~; The director, department of mental health;
- J. The county superintendent of schools, who shall be an ex officio member and without vote;

~~K. One member to be nominated by the Los Angeles Chapter of the American Red Cross and appointed by the board who shall be an ex officio member and without vote;~~The county counsel, who shall be an ex officio member and without vote;

~~L. Such other ex officio nonvoting members appointed by the chairman, as appropriate.~~The chief medical examiner-coroner, who shall be an ex officio member and without vote;

~~M. The chief probation officer, who shall be an ex officio member and without vote;~~

~~N. The director, department of children and family services, who shall be an ex officio member and without vote;~~

~~O. The administrator, chief administrative office/office of emergency management, who shall be an ex officio member and without vote;~~

~~P. The director, chief administrative office/office of public affairs, who shall be an ex officio member and without vote;~~

~~Q. One member to be nominated by the Los Angeles Chapter of the American Red Cross and appointed by the board, who shall be an ex officio member and without vote;~~

~~R. Such other ex officio nonvoting members appointed by the chair of the council, as appropriate.~~

**SECTION 13.** Section 2.68.170 is hereby amended to read as follows:

**2.68.170 Powers and duties.**

A. Powers and Duties -- Emergency Management Council. It shall be the duty of the county emergency management council to oversee the preparedness activities of the various county departments, ensuring unity of purpose. This includes preparation and approval of plans, training of county employees for emergency and disaster-related functions, and related emergency preparedness activities.

When requested, the council shall assist the board of supervisors when the county emergency organization is mobilized. The council may appoint committees as it deems necessary to carry out its responsibilities.

B. Powers and Duties -- Chairman of the Emergency Management Council. The chairman of the emergency management council shall:

1. Coordinate the activities of the emergency management council;
2. Establish and maintain liaison with county departments and districts not directly represented on the emergency management council regarding emergency preparedness activities;

- ~~3. Advise the emergency management council prior to the beginning of the fiscal year of the recommended budget relating to emergency preparedness for each county department having emergency/disaster responsibilities, and which items are included in the chief administrative officer's annual budget recommendations to the board;~~

43. Coordinate and provide for dissemination of public information relating to emergency preparedness activities, as may be required;

54. Review and recommend to the board adoption of county emergency and mutual aid plans and agreements.

C. Powers and Duties -- Emergency Management Council Member  
Department Heads. Department heads shall:

1. Formulate and maintain plans for departmental operations during emergency conditions, including a written plan for activation of the department as part of, and which carries out its role in the county emergency organization;

2. Ensure that these plans are supportive of and work in harmony with those of other county departments, and conform to the Los Angeles County ~~Multihazard Functional Plan for Emergency Operations~~ Operational Area Response Plan; and

3. Ensure that department personnel are trained in emergency management/operations and that designated personnel participate in regular refresher training and emergency exercises, as directed by the emergency management council.

D. Emergency Management Steering Committee. The emergency management steering committee is created as a standing emergency management council subcommittee. The committee's membership will ~~be~~ include the assistant director of the office of emergency management, who shall be chairman, and the chief deputy of each voting member of the emergency management council or the voting members' executive-level designee.

The emergency management steering committee will provide operational direction for implementation of the programs and policies established by the emergency management council. The committee will either meet quarterly, or at the direction of the emergency management council or upon call of the committee chairman.

**SECTION 14.** Section 2.68.180 is hereby amended to read as follows:

**2.68.180 Meetings.**

The county emergency management council shall meet upon call of the chairman, or in his absence or inability to call such meeting, upon call of the vice-chairman at least three times each calendar year, ~~one of which must be during an emergency exercise.~~

**SECTION 15.** Section 2.68.190 is hereby amended to read as follows:

**2.68.190 Sheriff to act as director – Jurisdiction.**

The sheriff of the county of Los Angeles is hereby designated director ~~for~~of emergency operations with responsibility for coordinating emergency operations following whole or partial activation of the Los Angeles County operational area organization.

Prior to the existence of an actual emergency or activation of the operational area, he shall have the authority to request the assistance of county departments and personnel, as necessary, in the intelligence-gathering and planning processes in preparation for the emergency and/or the activation of the county EOC.

**SECTION 16.** Section 2.68.200 is hereby amended to read as follows:

**2.68.200 Powers and duties.**

Following activation of the Los Angeles County operational area ~~organization~~, the director of emergency operations shall have the following duties:

A. To ~~establish and maintain~~ the county emergency operations center to serve the operational area; and upon activation of the operational area ~~organization~~ and in all instances of an emergency, as defined herein, to collect and disseminate emergency information to concerned jurisdictions and agencies;

B. To coordinate the utilization of county, other local government, state and federal resources within the operational area;

C. To coordinate operations conducted by the local governments in the Los Angeles County operational area in accordance with approved mutual aid and operations plans; ~~consistent with the authority of the chairman as operational area coordinator~~;

D. To disseminate emergency information and instructions to the public;

E. To request the chief administrative officer, pursuant to Section 2.68.220(B) of this chapter, to requisition personnel or property as necessary for the conduct of emergency operations;

F. To select and designate at his discretion members of an operations advisory council to advise and assist him in the performance of his duties as director of emergency operations. The composition of such an advisory council shall be determined on the basis of the situation prevailing at the time;

G. To respect insofar as possible, in carrying out the above duties, the integrity of local government entities and the unity of their service forces.

**SECTION 17.** Part 6 - Office of Emergency Management and Part 7 - Miscellaneous Provisions are hereby repealed in their entirety.

**SECTION 18.** Part 6 - Director of Recovery Operations is hereby added to read as follows:

**Part 6**

**Director of Recovery Operations**

**2.68.203 Chief administrative officer to act as director - county government.**

The chief administrative officer of the county of Los Angeles is hereby designated director of recovery operations with responsibility for overseeing county government's recovery following a "state-of-war emergency" and natural or manmade disasters.

**2.68.204 Powers and duties.**

Once life/safety operations have terminated and emergency conditions have stabilized, emergency operations will transition to recovery operations. At that time, the director of recovery will have the following duties:

A. If the scope of disaster warrants, establish and maintain a recovery coordination center (RCC) to: 1) coordinate initial recovery operations of county departments; and 2) provide information, liaison and recovery coordination with and between state and federal agencies and the impacted cities and other agencies that are part of Los Angeles County's Emergency Organization;

- B. Based on the size and scope of the disaster, establish a county office of recovery or similar structure to coordinate longer-term recovery activities, if warranted;
- C. Recommend to the board of supervisors and, as directed, implement county government recovery priorities;
- D. Based on the nature and scope of the disaster, direct safety assessments of the county's buildings in accordance with established priorities;
- E. Coordinate the use of county, other local governments, state and federal resources in order to foster and expedite recovery throughout the operational area, when appropriate;
- F. Disseminate recovery information and instructions to the public, when appropriate;
- G. Coordinate the county's disaster claims process;
- H. Select and designate, at his discretion, members of a recovery advisory council to advise and assist him in the performance of his duties as director of recovery operations. The composition of such an advisory council shall be determined on the basis of the situation prevailing at the time.

**SECTION 19.** Part 7 - Office of Emergency Management is hereby added to read as follows:

**Part 7**

**Office of Emergency Management**

**2.68.210 Created -- Officers and staff.**

A. There is created the county of Los Angeles office of emergency management. The chief administrative officer shall be the director of the county office of emergency management.

B. There is created the position of assistant director of the county office of emergency management, who shall be appointed by the director.

C. The county office of emergency management shall have such staffing as determined by the director.

**2.68.220 Director -- Powers and duties.**

A. Subject to the provisions of Parts 3 and 4 of this chapter, the director of the county office of emergency management shall have complete authority for organizing, directing, and coordinating the emergency organization of the county, including training, directing the development and approval of all multi-departmental emergency response plans, review and approval of all board-ordered departmental emergency response plans and all emergency preparedness activities, consistent with the exercise by the sheriff of the latter's duties and powers in all matters relating to preservation of life and property within the county, and consistent with his authority as director of emergency operations.

B. The assistant director, acting by and for the director of the office of emergency management, shall:

1. Supervise the day-to-day responsibilities associated with organizing, directing, and coordinating the emergency organization of the county;

2. Establish and maintain liaison with city governments within Los Angeles County, and other governmental and quasi-governmental agencies and volunteer organizations relating to emergency preparedness;

3. Develop appropriate plans, standard operating procedures, and planning guidance in collaboration with the sheriff's department and other impacted departments;

4. Prepare and process emergency operations program papers and applications for federal and state funds;

5. Maintain the Emergency Management Information System (EMIS) established in the county EOC, consistent with the informational needs of the sheriff in his role as the director of emergency operations; and

6. Coordinate: 1) initial disaster recovery services to the public, including one-stop disaster application centers, to administer local/federal/state financial aid programs; 2) applicants' briefing for state and federal grant programs; and 3) provision of county services to expedite recovery.

C. In the event of an emergency as defined in Part 1 of this chapter, the director or, in the director's absence, the highest ranking member of the director's staff available, is hereby empowered to:

1. Obtain for operational and administrative purposes 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;

2. Require emergency services of any county officer or employee, and to command the aid of as many citizens of 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 when registered as disaster service workers;

3. At his discretion, delegate any or all of these authorities and responsibilities to the sheriff.

**2.68.230                      Assistant director -- Powers and duties.**

The assistant director, county office of emergency management, shall, under the supervision of the director, be in administrative charge of the county office of emergency management and provide staff support to the emergency management council, as necessary. He shall have such other powers and duties as may be assigned or delegated by the director.

**SECTION 20.** Part 8 - Miscellaneous Provisions is hereby added to read as follows:

**Part 8**

**Miscellaneous Provisions**

**2.68.240 Emergency operations plan in effect when -- Department and employee responsibilities.**

County departments, commissions, agencies, boards, districts, officers, and employees shall have emergency duties, responsibilities, and assignments for war and nonwar emergencies as prescribed in the Operational Area Emergency Response Plan, which will have the effect of law during a declared emergency as provided for in this chapter.

**2.68.245 Delegation and succession.**

Wherever in this chapter, or by other law, duties or authority for emergency management are designated to the chief administrative officer or the sheriff, both shall designate a chain of succession in the event either officer is not available to immediately act in an emergency and shall file such designation with the executive officer-clerk of the board. If an emergency occurs in the absence of the principal, the first-level individual on such lists that can be contacted and is able to act shall have the full responsibility and authority to act for the principal officer until relieved by the principal or a person with higher priority on such list.

**2.68.250 Volunteers.**

Volunteers who perform service in the county emergency organization or for the operational area in accordance with provisions of this chapter shall so serve without compensation. Volunteers performing duties on behalf of the county of Los Angeles shall be registered with the emergency management council as “disaster service workers” in order to be eligible for worker’s compensation benefits, as provided for starting with section 3201 of Part 1 of Division 4 of the State Labor Code.

**2.68.260 Training.**

The head of each county department and district shall ensure that the appropriate level of SEMS training is conducted:

1. For managerial personnel as relates to the emergency operations responsibilities of the respective county department and the county emergency organization;
2. For EOC team members initially upon such assignment and refresher training at least annually and as required to maintain essential skills; and
3. For all “field” responders.

Training may be accomplished within the respective department, collectively with other county departments, or by attendance at appropriate training institutions.

**2.68.270 Services, supplies, and equipment for special districts.**

As consideration for the furnishing of emergency services by any Los Angeles County special district, as provided in county and operational area emergency plans, when the emergency period or potential emergency does not arise from conditions the response to which is the responsibility of the special district, the services, supplies, and equipment of every department, agency, board, commission, officer, and employee of the county, and of every other county district, shall be available to said county district during an emergency or threatened emergency arising from conditions within the purview of said county district.

**2.68.280 Expenditures.**

Any expenditures made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants of and property in the county of Los Angeles.

**2.68.290 Unlawful acts designated - Penalty for violations.**

It is a misdemeanor, punishable by a fine of not to exceed \$1,000 or by imprisonment for a period not to exceed six months, or both, for any person, during an emergency, to:

A. Willfully obstruct, hinder, or delay any member of the county emergency organization 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 or property of inhabitants of the 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, the county, county district, or any city in the county of Los Angeles.

Notwithstanding any other provisions of this chapter, it shall be a misdemeanor, punishable by a fine not to exceed \$1,000 or by imprisonment for a period not to exceed six months, or both, for any person to violate any curfew or other emergency order or regulation established by any lawful rule, regulation, order, or directive issued pursuant to this chapter. It shall be an affirmative defense to a violation of a curfew order that a person was traveling to or from work or school, was homeless, or was seeking medical treatment.

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