

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY
OF HUMBOLDT, AMENDING CHAPTER 10 OF DIVISION 2 OF TITLE II OF THE
HUMBOLDT COUNTY CODE RELATING TO THE EMERGENCY ORGANIZATION
AND FUNCTIONS OF HUMBOLDT COUNTY DISASTER COUNCIL**

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. Chapter 10 of Division 2 of Title II of the Humboldt County Code is amended as shown on the attached page.

SECTION 2. This ordinance shall take effect and be in force thirty (30) days from the date of its adoption. A summary shall be published at least five (5) days before the date set for adoption and again fifteen (15) days after passage of this ordinance. It shall be published once with the names of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Humboldt, State of California.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2025.

AYES: Supervisors--
NOES: Supervisors--
ABSENT: Supervisors—

Chair of the Board of Supervisors of the
County of Humboldt, State of California

(SEAL)

ATTEST:

Tracy Damico, Clerk of the Board of Supervisors
County of Humboldt

CHAPTER 10

EMERGENCY ORGANIZATION AND FUNCTIONS OF HUMBOLDT COUNTY DISASTER COUNCIL

Sections:

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2210-1. Purposes.

The declared purposes of this chapter are to provide for the preparation and carrying out of plans for the protection of persons and property within this ~~County jurisdiction~~ in the event of an emergency; the direction of the emergency organization; and the coordination of the emergency functions of this County with all other public agencies, corporations,

organizations and affected private persons, and to establish the Humboldt County Operational Area. (Ord. 961, § 1, 1/16/1974; Ord. 2203, 3/21/2000; Ord. 2447, § 1, 4/5/2011)

2210-2. Definitions.

(a) ~~As used in this chapter, “local emergency” shall have the meaning set forth in Government Code Section [8558](#) or successor statute. (Ord. 961, § 2, 1/16/1974; Ord. 2203, 3/21/2000; Ord. 2447, § 1, 4/5/2011)~~ As used in this ordinance, “emergency” shall mean the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this jurisdiction caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities, requiring the combined forces of other political subdivisions to combat.

(b) As used in this chapter, “local health emergency” shall have the meaning set forth in Health and Safety Code Section [101080](#) or successor statute. (Ord. 2447, § 1, 4/5/2011)

2210-3. Humboldt Operational Area.

The County of Humboldt, serving as the lead agency, and all political subdivisions therein, constitute the Humboldt Operational Area. The County of Humboldt, and all other political subdivisions within the Humboldt Operational Area are local government entities as defined by the Standardized Emergency Management System (SEMS) Regulations (CCR Title [19](#), Division 2, Chapter 1, Section [2409](#) and the National Incident Management System (NIMS) (Homeland Security Presidential Directive 5, February 2003). (Ord. 2203, 3/21/2000; Ord. 2447, § 1, 4/5/2011)

2210-4. Disaster Council Membership.

(a) The Humboldt County Disaster Council is hereby created and shall consist of the following:

(1) The Sheriff/Director of Emergency Services or his or her designee who shall be chairman.

(2) The Chair of the Board of Supervisors who shall be vice-chairman; (Ord. 2447, § 1, 4/5/2011)

(~~2~~3) One non-Chair member of the Board of Supervisors, with the remaining three non-Chair members serving as alternates; (Ord. 2447, § 1, 4/5/2011)

- (34) The Director of Emergency Services; Ord. [2447](#), § 1, 04/05/2011)
- (45) The Deputy Director of Emergency Services; Ord. [2447](#), § 1, 04/05/2011)
- (56) The Assistant Director of Emergency Services; Ord. [2447](#), § 1, 04/05/2011
- (67) ~~The Emergency Services Coordinator; Ord. [2447](#), § 1, 04/05/2011)~~ One representative from a city within the Operational Area, appointed by the seven City Managers and rotating between cities each year.
- (78) Such Chiefs of Emergency Services as are provided for in ~~the a~~ current emergency plan of this jurisdiction County, adopted pursuant to this ordinance; Ord. [2447](#), § 1, 04/05/2011)
- (8) A representative of the Voluntary Humboldt Community Organizations Active in Disaster, (VCOAD); (Ord. 2447, § 1, 4/5/2011)
- (9) A representative of the Humboldt County Fire Chiefs Association; (Ord. 2447, § 1, 4/5/2011)
- (10) A representative of the North Coast Emergency Medical Services (NCEMS); Ord. [2447](#), § 1, 04/05/2011)
- ~~(11) A representative of AT&T; Ord. [2447](#), § 1, 04/05/2011)~~
- (121) A representative of Pacific Gas and Electric Company (PG&E). (Ord. 961, § 3, 1/16/1974; Ord. 2203, 3/21/2000; Ord. 2447, § 1, 4/5/2011)
- (12) The Humboldt County Administrative Officer (CAO);
- (13) The Humboldt County Health Officer;
- (14) The Humboldt County Department of Health and Human Services Director;
- (15) The Humboldt County Risk Manager;
- (16) The Humboldt County Clerk/Recorder.

2210-5. Disaster Council Powers and Duties.

It shall be the duty of the Humboldt County Disaster Council, and it is hereby empowered, to develop and recommend for adoption by the Board of Supervisors, emergency and mutual aid plans and agreements, and such ordinances, resolutions, rules and regulations as are necessary to implement such plans and agreements. The Disaster Council shall meet at least once per year, upon call of the chair ~~Chairman~~ or, in his/her absence from the County or inability to respond to call such meeting, upon call of the vice chair ~~Chairman~~

(in the absence of the chair) ~~and shall meet at least two times in each calendar year.~~ (Ord. 961, § 4, 1/16/1974; Ord. 2203, 3/21/2000)

2210-6. Director, Deputy Director, Assistant Director and Coordinator.

(a) There is hereby created the office of Director of Emergency Services. The Sheriff of the County of Humboldt shall be the Director of Emergency Services for the County of Humboldt Operational Area.

(b) There is hereby created the office of Deputy Director of Emergency Services of the County of Humboldt and the Humboldt Operational Area who shall be a deputy sheriff of the rank of Undersheriff, appointed by the Director of Emergency Services. (Ord. 2447, § 1, 4/5/2011)

(c) There is hereby created the position of Emergency Services Program Manager for the County of Humboldt and the Humboldt Operational Area, who shall be a civilian employee of the Sheriff's Office appointed by the Director of Emergency Services.

~~(ed)~~ There is hereby created the office of Assistant Director of Emergency Services for the County of Humboldt and the Humboldt Operational Area who shall be ~~a deputy sheriff of the rank of Lieutenant or higher, appointed by the Director of the~~ Emergency Services Program Manager.

~~(d) There is hereby created the position of Emergency Services Coordinator for the County of Humboldt and the Humboldt Operational Area who shall be a civilian employee of the Sheriff's Office appointed by the Director of Emergency Services. (Ord. 961, § 5, 1/16/1974; Ord. 2203, 3/21/2000; Ord. 2447, § 1, 4/5/2011)~~

2210-7. Powers and Duties of the Director, and Deputy Director, Assistant Director and Coordinator of Emergency Services.

(a) ~~The Director of Emergency Services~~ is hereby empowered to:

(1) 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 Board of Supervisors shall take action to ratify the proclamation within seven (7) days thereafter or the proclamation shall have no further force or effect.

(A) Once the proclamation is made or ratified, the Board of Supervisors shall review, at least every sixty thirty (360) 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 the termination. The

frequency of review shall be in accordance with Government Code Section [8630](#) or successor statute. (Ord. 2447, § 1, 4/5/2011)

(2) ~~Recommend Request that the Chairman of the Board of Supervisors 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.

(3) Control and direct the effort of ~~the~~ this emergency organization of this County for the accomplishment of the purposes of this ordinance.

(4) Direct cooperation between and coordination of services and staff of the emergency organization of this County, and the Humboldt Operational Area and to resolve questions of authority and responsibility that may arise between them.

(5) Represent this County in all dealings with public or private agencies on matters pertaining to emergencies as defined herein.

(6) 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 Secretary of the California Emergency Management Agency, or the existence of a “state of war emergency,” the Director is hereby empowered:

(A) 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 must be confirmed at the earliest practicable time by the Board of Supervisors;

(B) 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;

(C) To require emergency services of any County officer or employee and, in the event of the proclamation of a “state of emergency” in the region in which this County is located or the existence of a “state of war emergency,” to command the aid of as many citizens of this County as ~~he/she deems~~ deemed 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 registered Disaster Service Workers; (Ord. 2447, § 1, 4/5/2011)

(D) To requisition necessary personnel or material of any County department or agency; and

(E) To execute all of his/her ordinary power as Director of Emergency Services, all of the special powers conferred upon him/her by this ordinance or by resolution

or emergency plan pursuant hereto adopted by the Board of Supervisors, all powers conferred upon him/her by any statute, by any agreement approved by the Board of Supervisors, and by any other lawful authority. (Ord. 2447, § 1, 4/5/2011)

(b) The Director of Emergency Services shall designate the order of succession to that office, to take effect in the event the Director is unavailable to attend meetings and otherwise perform his/her duties during an emergency.

(c) The Deputy Director shall assist the Director of Emergency Services as directed and may act in the Director's absence.

(d) The Assistant Director of Emergency Services shall act ~~as Director~~ in the absence of the Director and the Deputy Director; and,

~~(e) The Emergency Services Coordinator shall,~~ under the supervision of the Director and with the assistance of emergency services chiefs, develop emergency plans and manage the emergency programs of this County and shall have other such powers and duties as may be assigned by the Director. (Ord. 961, §6, 1/16/1974; Ord. 2203, 3/21/2000)

2210-8. County Health Officer Declaration of Local Health Emergency.

The County Health Officer may declare a "local health emergency" in the County or any area thereof affected by a threat to public health pursuant to Health and Safety Code Section [101080](#) or successor statute, including, but not limited to an imminent and proximate threat of the introduction of any contagious, infectious or communicable disease, chemical agent, noncommunicable biologic agent, toxin or radioactive agent. (Ord. 2447, § 1, 04/05/2011)

(a) If the County Health Officer declares a local health emergency, it shall not remain in effect for a period in excess of seven (7) days unless it has been ratified by the Board of Supervisors. The Board of Supervisors shall review, at least every ~~14~~ 30 days until the local health emergency is terminated, the need for continuing the local health emergency and shall proclaim the termination of the local health emergency at the earliest possible date that conditions warrant the termination. The frequency of review shall be in accordance with Health and Safety Code Section [101080](#) or successor statute. (Ord. 2447, § 1, 4/5/2011)

(b) During a local health emergency, the County Health Officer shall have the power to: (Ord. 2447, § 1, 04/05/2011)

(1) 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/she 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 registered Disaster Service Workers. (Ord. 2447, § 1, 4/5/2011)

(2) 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/her necessary in carrying out his/her responsibilities for which the County shall pay a reasonable value thereof. (Ord. 2447, § 1, 4/5/2011)

(3) Take necessary prevention measures including issue orders following due process for isolation and quarantine. (Ord. 2447, § 1, 4/5/2011)

(4) Issue any rules or emergency 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 of Supervisors. (Ord. 2447, § 1, 4/5/2011)

(c) If the local health emergency situation is such that conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of Humboldt County, requiring the combined forces of other political subdivisions, the County Health Officer may recommend to the Director of Emergency Services or to the Board of Supervisors that a local emergency be proclaimed. (Ord. 2447, § 1, 4/5/2011)

(d) During any emergency as defined by Government Code Section [8558](#) or successor statute, the County Health Officer may take any preventive measure that may be necessary to protect and preserve the public health from any public health hazard within his/her jurisdiction pursuant to Health and Safety Code Section [101040](#) or successor statute. (Ord. 2447, § 1, 4/5/2011)

2210-9. County Agricultural Commissioner Authority to Request United States Department of Agriculture Secretarial Disaster Designation for Agricultural Losses.

The Agricultural Commissioner in coordination with the County Director of Emergency Services may request a United States Department of Agriculture Secretarial Disaster Designation for Humboldt County when the Commissioner has determined that an unusual incident has occurred which caused severe physical property or production losses and has adversely affected local farmers, ranchers and/or aquaculturists. When requesting a Secretarial Disaster Designation, the Commissioner shall follow the County Secretarial Disaster Designation Coordination Plan as outlined in the Humboldt County Emergency Operations Plan. (Ord. 2447, § 1, 4/5/2011)

2210-10. Emergency Organization.

All officers and employees of this County, together with those volunteer forces enrolled to aid them during an 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 7(a)(6)(C) of this ordinance, be charged with duties incident to the protection of life and property in this County during such emergency, shall constitute the emergency organization of the County of Humboldt. (Ord. 2447, § 1, 4/5/2011)

2210-12. Compliance With the California Emergency Services Act.

The Humboldt County Disaster Council shall comply with the California Emergency Services Act.

2210-142. Emergency Plan.

The Humboldt County Disaster Council shall be responsible for the development of the Humboldt County Emergency Operations Plan, which 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, powers and duties, services, and staff of the emergency organization. Such plans shall take effect upon adoption by resolution of the Board of Supervisors. (Ord. 2447, § 1, 4/5/2011)

2210-123. County Workers Deemed Disaster Service Workers.

All County employees are deemed Disaster Service Workers pursuant to Government Code Section 3100. (Ord. 2447, § 1, 4/5/2011) Disaster Service Workers shall be called to assist with emergency response and recovery efforts, including approved and documented training necessary to properly engage in such activities, at the request or direction of the Director, Deputy Director and/or Assistant Director of Emergency Services.

2210-134. County Departmental Disaster Plans.

Each County department shall prepare a Departmental Emergency Plan (DEP) for internal departmental response to an emergency and ensure each employee is trained in their individual assignment under the plan. This plan shall include a notification to County employees detailing the requirements and responsibilities of being Disaster Service Workers, methods for all-hours call-up and accountability during an emergency and require general overview training in the Standardized Emergency Management System (SEMS), the National Incident Management System (NIMS), and the Incident Command System (ICS). The DEP shall be updated by the departments as needed on an annual basis. (Ord. 2447, § 1, 4/5/2011)

2210-145. 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 and property of the County of Humboldt. (Ord. 961, 1/16/1974; Ord. 2447, § 1, 4/5/2011)

2210-156. Punishment of Violations.

It shall be a misdemeanor punishable by a fine of not to exceed ~~Five Hundred One Thousand~~ Dollars (\$~~51000.00~~), or by imprisonment for not to exceed six (6) months or both for any person, during a state of war emergency, state of emergency or local emergency, to:

- (a) ~~Will~~fully obstruct, hinder or delay any member of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this ordinance, or in the performance of any duty imposed upon him/her by virtue of this ordinance.
- (b) Do any act forbidden by any lawful rule or regulation issued pursuant to this ordinance, 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. (Ord. 961, § 10, 1/16/1974)

2210-167. Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this ordinance are declared to be severable. (Ord. 2203, 3/21/2000; Ord. 2447, § 1, 4/5/2011)