

ORDINANCE NO. 298

AN ORDINANCE CREATING AND ESTABLISHING A DISASTER COUNCIL IN THE TOWN OF SAN ANSELMO, ESTABLISHING THE MEMBERSHIP THEREOF AND DEFINING THEIR POWERS AND DUTIES. CREATING A DISASTER CORPS AND THE DIVISIONS THEREOF AND DEFINING THEIR POWERS AND DUTIES, AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF.

The City Council of the Town of San Anselmo does ordain as follows:

Section 1. DISASTER. As used in this ordinance, the term "disaster" shall include, but is not limited to, any extraordinary fire, flood, riot, storm, epidemic, or earthquake, or any enemy attack or sabotage, which causes or threatens to cause loss of life or property and in which occurrences the responsibility devolves upon the regular constituted authorities for the maintenance of public peace and order and the preservation of life and property. It shall not include any condition resulting from a labor controversy.

Section 2. DISASTER COUNCIL. MEMBERSHIP. The San Anselmo Disaster Council is hereby created and shall consist of the following:

- A. The Mayor, who shall be chairman.
- B. The Commander, who shall be vice-chairman.
- C. The Vice-commanders, appointed by the Mayor with the advice and consent of the City Council, who, in the absence of, or at the direction of, the Commander, shall act on his behalf on matters within the purview of this ordinance.
- D. The Chiefs of Divisions as hereinafter provided.
- E. Such other representatives of civic, business, labor, veterans, professional or other organizations as may be appointed by the Mayor with the advice and consent of the City Council.

Section 3. DISASTER COUNCIL. POWERS AND DUTIES. It shall be the duty of the San Anselmo Disaster Council, and it is hereby empowered:

- A. To develop a plan for meeting any disaster. Such plan shall provide for the effective mobilization of all the resources of the community, both public and private.
- B. To prepare and recommend for consideration by the City Council ordinances necessary to implement the disaster plan.

C. To consider and recommend to the City Council for approval mutual aid plans and agreements:

D. Others.

The Disaster Council shall meet upon call of the chairman.

Section 4. COMMANDER. POWERS AND DUTIES. There is hereby created the office of Commander. Such officer shall be appointed by the mayor with the advice and consent of the City Council.

The Commander is hereby empowered:

A. To proclaim the existence or threatened existence of a disaster and the termination thereof:

B. To request the Governor to proclaim a state of extreme emergency in the area in and around the Town of San Anselmo when in the opinion of the Commander the resources of the community are inadequate to cope with the disaster:

C. To govern and direct the effort of the San Anselmo Disaster Corps in the accomplishment of the purposes of this ordinance:

D. To direct coordination and cooperation between the chiefs of divisions and resolve questions of authority and responsibility that may arise between them:

E. To represent the Disaster Corps in all dealings with public or private agencies pertaining to disaster preparedness.

It shall also be the duty of the Commander, and he is hereby empowered, during a disaster or when a disaster is imminent:

A. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such disaster:

B. To obtain vital supplies, equipment and such other properties found lacking and needed for the protection of the life and property of the people, and bind the city for the fair value thereof, and, if required immediately, to commandeer the same for public use:

C. To require emergency services of any city officer or employee:

D. To requisition necessary personnel or material of any city department or agency.

E. To execute all of his ordinary powers as Chief of Police, all of the special powers conferred upon him by this ordinance, and all powers conferred upon him by any other lawful authority.

Section 5. EXECUTIVE OFFICER. There is hereby created the position of Executive Officer of the Disaster Corps. The Executive Officer shall be appointed by the Mayor with the advice and consent of the City Council. The Executive Officer shall be the executive secretary of the Disaster Council and shall be Chief of the Division of Personnel and Recruitment.

Section 6. DISASTER CORPS. GENERAL. Officers and employees of the Town of San Anselmo, together with those volunteer forces enrolled to aid them during a disaster, and all groups, organizations and persons who may by agreement or operation of law be charged with duties incident to the protection of life and property in the Town of San Anselmo during such disaster, shall constitute the San Anselmo Disaster Corps.

Section 7. DIVISIONS OF DISASTER CORPS. The functions and duties of the San Anselmo Disaster Corps shall be distributed among the following divisions of such corps, each division to be under the direction of the Chief and, in the absence, the first deputy and second deputy chief, respectively, appointed by the Chief, and said division to consist of the following forces, organizations and services, and such other forces, organizations or services as may be included pursuant to the provisions of this ordinance. The chiefs of divisions shall organize and train volunteers assigned to such division by the Personnel and Recruitment Division and shall formulate the division plan which, when approved by the Disaster Council, shall become an annex to the disaster plan. The Chiefs of Divisions shall include in the division plans recommended mutual aid agreements. The Chiefs of Divisions shall be custodians of special equipment and other property which may be obtained from any source and assigned to such division by the Commander.

A. LAW AND ORDER DIVISION. This division shall be under and subject to the control of the chief of police, who shall be chief of the Law and Order Division. The division shall consist of police personnel and auxiliary police (volunteers).

B. FIRE DIVISION. This division shall be under and subject to the control of the chief of the fire department, who shall be Chief of the Fire Division. The division shall consist of the fire department personnel and auxiliary fire fighters (volunteers).

C. MEDICAL DIVISION. This division shall be under and subject to the control of the city health officer, who shall be Chief of the Medical Division. The division shall consist of health department personnel and medical service volunteers.

D. PUBLIC WORKS DIVISION. This division shall be under and subject to the control of the director of public works (city engineer) who shall be Chief of the Public Works Division. The division shall consist of the department of public works personnel and auxiliary personnel, (volunteers).

E. UTILITIES DIVISION. This division shall be under and subject to the control of a citizen, experienced and engaged in the utility industry, appointed by the Mayor, with the advice and consent of the City Council. The division shall consist of auxiliary personnel (volunteers).

F. TRANSPORTATION DIVISION. The chief of this division shall be a citizen, experienced and engaged in such industry appointed by the mayor with the advice and consent of the City Council. The division shall consist of auxiliary personnel (volunteers).

G. COMMUNICATIONS DIVISION. The chief of this division shall be a citizen, experienced and engaged in such industry, appointed by the mayor with the advice and consent of the City Council. The division shall consist of auxiliary personnel (volunteers) and city personnel engaged in communications work.

H. PERSONNEL AND RECRUITMENT DIVISION. This division shall be under and subject to the control of the Executive Officer. It shall be the duty of this division to recruit all volunteer personnel, to enroll and register such personnel, to keep adequate records thereof, and to assign such personnel to other divisions of the Disaster Corps. The Executive Officer may establish and operate a volunteer office.

I. AMERICAN RED CROSS. THE American Red Cross in the City of San Rafael will furnish food, clothing, shelter, registration and information service, supplementary medical service when requested, and rehabilitation to individuals and families affected by a disaster. The American Red Cross will provide funds with which to finance all its relief operations. The chief of this division will be the chairman of the City of San Rafael Chapter of the American Red Cross, or a delegated representative thereof.

Section 8. VOLUNTEERS. All persons, other than officers and employees of the city, volunteering services pursuant to the provisions of this ordinance, shall serve without compensation from the city. While engaged in such services, they shall have the same immunities as officers and employees of the city performing similar duties.

Section 9. PUNISHMENT OF VIOLATIONS. It shall be a misdemeanor, punishable by a fine of not to exceed \$500.00, or by imprisonment for not to exceed six months, or both, for any person during a disaster:

A. Wilfully to obstruct, hinder or delay any member of the Disaster Corps in the enforcement of any lawful rule or regulation issued pursuant to this ordinance, or in the performance of any duty imposed upon him by virtue of this ordinance;

B. To 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 other inhabitants of this city, or prevent, hinder or delay the defense or protection thereof;

C. To wear, carry or display, without authority, any means of identification specified by the Disaster Council.

Section 10. EFFECTIVE DATE. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately. The following is a statement of the facts showing its urgency:

A complete and adequate disaster plan must be formulated at once by the Disaster Council. The plan will be based upon plans formulated by the chiefs of the divisions and upon mutual aid agreements. To protect the lives and property of the citizens of the Town of San Anselmo, responsibility for the formulation of such plans and agreements should be fixed immediately.

Section 11. PUBLICATION. The foregoing ordinance shall be published once within fifteen (15) days after its final passage in the San Anselmo Herald, a newspaper of general circulation, published and circulated in the Town of San Anselmo, and hereby designated for that purpose.

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The foregoing ordinance, duly and regularly introduced at an adjourned regular meeting of the Town of San Anselmo City Council held in said Town the 11th day of March, 1947, and was thereafter at a regular adjourned meeting of the City Council held in said Town of San Anselmo in the 18 day of March, 1947, duly passed and adopted by the following vote:

AYES: COUNCILMEN SMITH-MILLER-ALLEN-LOVE-MONTE  
NOES: COUNCILMEN None  
ABSENT: COUNCILMEN None

SIGNED and approved this 18 day of March, 1947.

D. Frank Monte  
Mayor of the TOWN OF SAN ANSELMO

Wm. M. Derrick  
Clerk of the Town of San Anselmo