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Section 9.20.010 Purposes.

The purposes of this Chapter are to provide for; the preparation and carrying out of plans for the protection of persons and property within this City in the event of extraordinary emergencies or disasters; the direction of the City emergency organization; and the coordination of the emergency functions of this City with all other public agencies, corporations, organizations and affected private persons. (Ord. 7115 § 1, 2011; Ord. 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

Section 9.20.020 Definitions.

When used in the context of this Chapter, the following words, terms, and phrases shall have the meanings respectively ascribed to them by this Section:

Activate - As used in this Chapter, shall mean the placing into operation of the Emergency Organization hereinafter provided for, upon the receipt of official warning of an impending or threatened emergency, or upon the declaration of the existence of a local emergency.

Continuity of Government - As used in this Chapter, shall mean all measures taken to ensure the continuity of essential functions of government in the event of emergency conditions, including lines of succession for key decision makers and officials.

Director of Emergency Services - As used in this Chapter, shall mean the individual having jurisdiction and authority over the City's response and recovery to extraordinary emergencies and disasters. The City Manager serves as the Director of Emergency Services.

Disaster Service Worker - As used in this Chapter, shall mean any person registered with a disaster council or the Governor's Office of Emergency Services, or a state agency granted authority to register disaster service workers, for the purpose of engaging in disaster service work pursuant to the California Emergency Services Act without pay or other consideration. Disaster service worker includes public employees, and also includes any unregistered persons impressed into service during a state of war emergency, a state of emergency, or a local emergency by a person having authority to command the aid of citizens in the execution of his or her duties.

Emergency - As used in this Chapter, shall mean the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this city caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, earthquake, drought, sudden and severe energy shortage, plant or animal infestation or disease, or other conditions, including conditions resulting from war or imminent threat of war, severe or imminent threat of terrorist attack, but other than conditions resulting from a labor controversy, which conditions are or are likely to require the combined services, personnel, equipment and facilities of this city.

Emergency Operations Center - As used in this Chapter, shall mean the location from which centralized city emergency management is performed.

Inability to Act - As used in this Chapter, shall mean that an official is either killed, missing, or so seriously ill or injured as to be unable to attend meetings and otherwise perform his/her duties. Any question as to whether a particular official can be deemed to have an "inability to act" shall be settled by the City Council or any remaining available members of the City Council (including standby officers who are serving on such body).

Local Emergency - As used in this Chapter, shall mean the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of the County of Riverside or the City of Riverside, caused by such conditions as air pollution, fire, flood, storm, epidemic, pandemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or other conditions, including conditions resulting from war or imminent threat of war, severe or imminent threat of terrorist attack, 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 of that political subdivision and require the combined forces of other political subdivisions to combat, or with respect to regulated energy utilities, a sudden and severe energy shortage requires extraordinary measures beyond the authority vested in the State Public Utilities Commission.

Multi-Agency or Inter-Agency Coordination - As used in this Chapter, shall mean the participation of agencies and disciplines involved at any level of the Standardized Emergency Management System (SEMS) organization working together in a coordinated effort to facilitate decisions for overall emergency response activities, including the sharing of critical resources

and the prioritization of incidents.

National Incident Management System - As used in this Chapter, shall mean the adopted national emergency management processes, protocols, and procedures for Federal, State, tribal and local responders. National Incident Management System (NIMS) utilizes the Incident Command System (ICS), Resource Management, Joint Information Management System, Communication and Information Management and Preparedness policies. NIMS is consistent with SEMS.

Operational Area - As used in this Chapter, shall mean an intermediate level of State emergency services organization, consisting of a county and all political subdivisions within the county area. Each county geographic area is designated an operational area for the coordination of emergency activities and to serve as a link in the system of communications and coordination between the State's emergency operations centers and the operations centers of the political subdivisions comprising the operational area, as defined in Government Code Sections 8559 (b) and 8605. This definition does not change the definition of operational area as used in the existing fire and rescue mutual aid system.

Standardized Emergency Management System - As used in this Chapter, shall mean the adopted State Emergency Management System. The Standardized Emergency Management System (SEMS) utilizes the Incident Command System (ICS), Multi/Interagency Coordination, Mutual Aid, and the Operational Area Concept to facilitate emergency incident management, priority setting, interagency cooperation and the efficient use of resources and flow of information during an emergency. SEMS is consistent with NIMS.

State of Emergency - As used in this Chapter, shall mean the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by such conditions as air pollution, fire, flood, storm, epidemic, pandemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or other conditions, other than conditions resulting from a labor controversy or conditions causing a state of war emergency, which conditions, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat, or with respect to regulated energy utilities, a sudden and severe energy shortage requires extraordinary measures beyond the authority vested in the State Public Utilities Commission.

State of War Emergency – As used in this Chapter, shall mean the condition which exists immediately, with or without a proclamation thereof by the Governor, whenever this State or Nation is attacked by an enemy of the United States, or upon receipt by the State of a warning from the Federal government indicating that such an enemy attack is probable or imminent. (Ord. 7115 § 1, 2011; Ord. 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

Section 9.20.030 Director of Emergency Services.

There is hereby created the position of Director of Emergency Services. The City Manager shall be the Director of Emergency Services.

The City Manager shall act as the Director of Emergency Services and shall have full authority over a declared emergency. In the absence, or in the inability to act, of the City Manager, he/she shall automatically be succeeded as Director of Emergency Services by the following officials in the order named:

- (1) Assistant City Manager
- (2) Assistant City Manager/Chief Financial Official
- (3) Fire Chief
- (4) Police Chief
- (5) Public Utilities General Manager

- (6) Public Works Director (Ord. 7115 § 1, 2011; Ord 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

Section 9.20.040 Assistant Director of Emergency Services.

There is hereby created the position of Assistant Director of Emergency Services. The Assistant City Manager as designated by the Director shall be the Assistant Director of Emergency Services. The Assistant Director of Emergency Services shall serve as assistant to the Director of Emergency Services or in his/her absence or inability to act, as the Director of Emergency Services. (Ord. 7115 § 1, 2011; Ord 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

Section 9.20.050 Director of Emergency Services Powers and Duties.

The Director of Emergency Services is empowered to:

1. Request the City Council to proclaim the existence of a "local emergency" if the City Council is in session, or to issue such proclamation if the City Council is not in session. Whenever a local emergency is proclaimed by the director, the City Council shall take action to ratify the proclamation within seven (7) days thereafter, or the proclamation shall have no further force or effect. Pursuant to Government Code Section 8630, the City Council shall review, at least every fourteen (14) 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.
2. 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 emergency organization of this City for the accomplishment of the purposes of this title.
4. Direct cooperation and coordination of services and staff of the emergency organization of this City, and resolve questions of authority and responsibility that may arise between them.
5. Represent this City in all dealings with public or private agencies on matters pertaining to emergencies as defined herein.
6. 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 City Council.
7. To obtain vital supplies, equipment and such other properties found lacking and required for the protection of life and property and to bind the City for the fair value thereof and, if required immediately, to commandeer the same for public use. In so acquiring such property, the City waives no immunities and incurs no liabilities other than those at common law or those liabilities created by applicable State or Federal law.
8. To require emergency services of any City officer or employee and to command the aid of as many citizens of this community 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 for registered disaster service workers.
9. To requisition necessary personnel or material of any City department or agency.
10. To execute all of his/her ordinary power as City Manager, all of the special powers conferred upon him/her by this title or by resolution or emergency plan pursuant hereto adopted by the City Council, all powers conferred upon him by any statute, by any agreement approved by the City Council, and by any other lawful authority. (Ord. 7115 § 1, 2011; Ord 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

Section 9.20.060 Declaration of Local Emergency.

A Local Emergency may be declared upon such situation of extreme peril that immediately or that such likelihood that extreme peril is imminently likely to threaten lives and

property; and by reason of its magnitude is or is likely to become beyond the control of the normal services, personnel, equipment and facilities of the regularly constituted branches and departments of the City government.

The Director of Emergency Services may request of the City Council to proclaim the existence of a "local emergency" if the City Council is in session, or to issue such proclamation if the City Council is not in session. Whenever a local emergency is proclaimed by the Director, the City Council shall take action to ratify the proclamation within seven (7) days thereafter, or the proclamation shall have no further force or effect. The City Council 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. (Ord. 7115 § 1, 2011; Ord 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

Section 9.20.070 Termination of Local Emergency.

The Director of Emergency Services or the City Council shall declare and publicize the termination of such local emergency at the earliest possible date that conditions warrant. The local emergency may be terminated by allowing the declaration to expire by not ratifying such declaration within seven (7) days of the original declaration or every thirty (30) days thereafter. Upon the declaration of termination of the local emergency by the Director of Emergency Services or the City Council, such rules, regulations, orders and directives shall terminate and be of no further force or effect. (Ord. 7115 § 1, 2011; Ord 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

Section 9.20.080 Legality of Initial Emergency Measures.

All emergency measures taken by the Director of Emergency Services prior to the issuance of an official declaration of emergency, or prior to any decision by the City Council not to issue such declaration, shall be legal and binding on the City of Riverside. (Ord. 7115 § 1, 2011; Ord 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

Section 9.20.090 Emergency Expenditures.

The Director of Emergency Services, during a declared disaster, shall have the authority to approve contracts and waive the normal purchasing requirements as necessary to support the Emergency Organization (as defined in Section 9.20.140) and to protect the life and property of the citizens of the City of Riverside. The purchase of supplies, materials, equipment and services may be made without the benefit of the bidding requirements set forth herein when an item of supply, material, equipment and service, is immediately necessary for the continued operation of a department, or for the preservation of life or property, or when such purchase is required for the health, safety and welfare of the people, provided that there is a present, immediate and existing emergency.

In addition, during a declared disaster or public calamity such as an earthquake, major fire or national disaster, the Director of Emergency Services shall have spending authority up to twenty-five (25) million dollars to execute purchases which must be made to protect life and property. The Chief Financial Officer shall maintain a detailed accounting of all expenditures related to the emergency and submit upon termination of such emergency, a detailed report to the City Manager who, in turn, will provide the report to the City Council. (Ord. 7115 § 1, 2011; Ord. 6354 § 1, 1997; Ord. 5788 § 1, 1990; Ord. 3948 § 1 (part), 1972)

Section 9.20.100 Office of Emergency Management.

There is hereby created the Office of Emergency Management (OEM) for the City of Riverside. The Office of Emergency Management shall be located within the Fire Department. The Office of Emergency Management shall be responsible for the coordination and

management of all City emergency preparedness, planning, prevention, mitigation, readiness, and recovery activities. (Ord. 7115 § 1, 2011; Ord. 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

Section 9.20.110 Emergency Services Manager.

There is hereby created the position of Emergency Services Manager who shall manage the day-to-day affairs of the Office of Emergency Management and the City's emergency management program; have certain other emergency management functions as relating to the development of emergency plans; the management of the City's emergency programs; and the performance of such other duties and responsibilities as may be assigned to him/her by the Director of Emergency Services. (Ord. 7115 § 1, 2011; Ord. 6657 § 1, 2003; Ord. 6354 § 1, 1997; Ord. 5503 § 1, 1987; Ord. 3948 § 1 (part), 1972)

Section 9.20.120 Emergency Services Manager Powers and Duties.

The Emergency Services Manager shall, prior to the existence of a "state of war emergency", a "state of emergency" or a "local emergency":

- (1) Coordinate all City activities as it relates to emergency preparedness, mitigation, prevention, response and recovery;
- (2) Develop and coordinate basic disaster planning for the City; to provide for the use of all governmental entities; resources and equipment; all commercial and industrial resources; and all such special groups, bodies and organizations as may needed to support disaster operations;
- (3) Prepare and maintain the basic emergency plans for the City and submit such plans to the Director of Emergency Services;
- (4) Develop and coordinate such disaster training programs and exercises as may be required;
- (5) Develop and coordinate a public information program designed for basic self-protection;
- (6) Coordinate planning and training with other City, County, State, Federal, military and other disaster relief organizations;
- (7) Represent the City in all dealings with public and private agencies pertaining to emergency planning;
- (8) Recommend to the Director of Emergency Services for referral to the City Disaster Council matters for consideration within the purview of the Council's responsibilities;
- (9) Recommend to the Director of Emergency Services matters of policy for consideration by the City Council insofar as they relate to disasters;
- (10) Serve as staff advisor to the Director of Emergency Services on matters related to emergency preparedness, mitigation, prevention, response and recovery. (Ord. 7115 § 1, 2011; Ord. 6354 § 1, 1997; Ord. 5503 § 1, 1987; Ord. 3948 § 1 (part), 1972)

Section 9.20.130 Emergency Operations Plan.

The Emergency Services Manager shall be responsible for the development and maintenance of the City of Riverside Emergency Operations Plan (EOP). The City Disaster Council shall be responsible for providing required input into the EOP and training and exercising the EOP insofar as to their identified emergency support functions and responsibilities. This plan shall provide for the effective mobilization of all of the resources of this City, 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. The Emergency Operations Plan shall comply with all of the requirements and components of the Standardized Emergency Management System (SEMS) for the State of California and the Federal National Incident Management System (NIMS).

Such plan shall take effect upon adoption of the plan by resolution of the City Council. (Ord. 7115 § 1, 2011; Ord. 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

Section 9.20.140 Emergency Organization.

There is hereby created an Emergency Organization of the City of Riverside hereinafter referred to in this Chapter as the City Emergency Organization. Said organization shall constitute the operational forces deemed necessary to meet the conditions of a local emergency. All officers and employees of this City, 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 pressed into service under the provisions of this title, be charged with duties incident to the protection of life and property in this City during such emergency, shall constitute the City of Riverside Emergency Organization. (Ord. 7115 § 1, 2011; Ord. 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

Section 9.20.150 Activation of Emergency Organization.

Upon receipt of official warning of impending or threatened emergency, or upon the declaration of a local emergency, the City of Riverside Emergency Organization shall be immediately activated and all or such portions of its organization or personnel as the Director of Emergency Services may direct, shall be called into service. Emergency Organization activities will be consistent with the Standardized Emergency Management System and the National Incident Management System. (Ord. 7115 § 1, 2011; Ord. 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

Section 9.20.160 Emergency Operations Center.

The Emergency Operations Center (EOC) for the City of Riverside shall be the centralized point for coordination of the response and recovery to Local Emergencies and the City Emergency Organization. The Emergency Operations Center may be activated at the request of any division or City department and upon concurrence by the Director of Emergency Services, notwithstanding the absence of a declaration of local emergency. The City Emergency Operations Center shall be maintained in a constant state of readiness which is consistent with state, national and professional standards. The City will maintain an Alternate Emergency Operations Center (AEOC) which is consistent with state, national and professional standards. The Office of Emergency Management is responsible for the maintenance and management of both EOC and AEOC. (Ord. 7115 § 1, 2011; Ord. 6354 § 1, 1997; Ord. 5258 § 8, 1985; Ord. 3948 § 1 (part), 1972)

Section 9.20.170 Emergency Operations Center Direction and Control.

For the purposes of this Chapter, the Emergency Operations Center for the City of Riverside and the City Emergency Organization shall be under the direction and control of the Director of Emergency Services. For the period of a local emergency, the Director of Emergency Services shall serve as Emergency Operations Center Director. The Director of Emergency Services may delegate to the Assistant Director of Emergency Services all matters within the purview of this Chapter including the direction and control of the Emergency Operations Center and the City Emergency Organization. The Emergency Services Manager shall serve as staff advisor to the Emergency Operations Center Director during local emergencies and as Emergency Operations Center Manager at all times. Emergency Operations Center activities will be consistent with the Standardized Emergency Management System and the National Incident Management System. (Ord. 7115 § 1, 2011)

Section 9.20.180 Emergency Operations Activation and Staffing.

For the purposes of this Chapter, the Emergency Operations Center shall be activated

and staffed in accordance with the current promulgated City of Riverside Emergency Operations Plan. (Ord. 7115 § 1, 2011)

Section 9.20.190 Employees as Disaster Service Workers.

As used in this Chapter, all persons employed by the City of Riverside are considered disaster service workers and subject to assignment of disaster service duties. Disaster service duties include assisting any unit of the emergency organization or performing any act contributing to the protection of life or property, or mitigating the effects of an emergency or potential emergency. Disaster Service Worker is defined in accordance with Government Code Section 3100, et seq.

In addition to employees, certain classes of volunteers are considered Disaster Service Workers in accordance with Government Code Section 3100, et seq. for the purpose of engaging in disaster service pursuant to the California Emergency Services Act without pay or other consideration. (Ord. 7115 § 1, 2011)

Section 9.20.200 Policy Group Membership.

The City of Riverside Policy Group is hereby created and shall consist of the following:

- a. City Manager, who shall be chairperson, and serve as the Director of Emergency Services;
- b. Assistant City Manager;
- c. Assistant City Manager/Chief Financial Officer;
- d. Mayor;
- e. Mayor Pro Tem;
- f. Chairperson – Public Safety Committee;
- g. Fire Chief;
- h. Police Chief;
- i. Director - Development Department;
- j. Director - Community Development Department;
- k. Director - Human Resources Department;
- l. Chief Information Officer;
- m. Director - Parks, Recreation and Community Services Department;
- n. General Manager - Public Utilities Department;
- o. Director - Public Works Department;
- p. City Clerk, who shall serve as secretary to the Policy Group;
- q. Emergency Services Manager, who shall serve as advisor to the Policy Group;
- r. City Attorney, who shall serve as legal advisor to the Policy Group. (Ord. 7115 § 1, 2011)

Section 9.20.210 Policy Group Powers and Duties.

It shall be the duty of the City of Riverside Policy Group, to assist the Director of Emergency Services with overall management objectives and policy decisions during times of emergencies. The City of Riverside Policy Group serves during the response and recovery phases of a disaster. The Policy Group shall be activated upon activation of the Riverside Emergency Operations Plan, by declaration of a Local Emergency, or by direction of the Director of Emergency Services. (Ord. 7115 § 1, 2011)

Section 9.20.220 Disaster Council Membership.

The City of Riverside Disaster Council is hereby created and shall consist of the following:

- a. City Manager, who shall be chairperson, and shall also be a member of the Riverside County Disaster Council;

- b. Assistant City Manager;
- c. Assistant City Manager/Chief Financial Officer;
- d. Mayor, or in his/her absence Mayor Pro-Tem;
- e. Fire Chief;
- f. Police Chief;
- g. Director - Airport Department;
- h. Director - Community Development Department;
- i. Director - Development Department;
- j. Director - Finance Department;
- k. Director - General Services Department;
- l. Director - Human Resources Department;
- m. Chief Information Officer;
- n. Director - Library;
- o. Director - Museum;
- p. Director - Parks, Recreation and Community Services Department;
- q. General Manager - Public Utilities Department;
- r. Director - Public Works Department;
- s. Chairperson - Public Safety Committee;
- t. Such representatives of civic, business, labor, professional, or other organizations having an official emergency responsibility, as may be appointed by the chairperson with the advice and consent of the City Council;
- u. City Clerk, who shall serve as secretary to the Disaster Council;
- v. Emergency Services Manager, who shall serve as advisor to the Disaster Council;
- w. City Attorney, who shall serve as legal advisor to the Disaster Council. (Ord. 7115 § 1, 2011)

Section 9.20.230 Disaster Council Powers and Duties.

The City of Riverside Disaster Council is established in accordance with Government Code Section 8610. It shall be the duty of the City of Riverside Disaster Council, and it is hereby empowered, to develop and recommend for adoption by the City Council, 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 City of Riverside Disaster Council serves pre-disaster activities and as an organizational unit does not have a direct role in emergency response or recovery activities. (Ord. 7115 § 1, 2011)

Section 9.20.240 Disaster Council Meetings.

The Disaster Council shall meet once a year and as necessary upon call of the chairperson, or in his or her absence from the City or inability to call such meeting, upon call of the vice-chairperson. (Ord. 7115 § 1, 2011)

Section 9.20.250 Participation in the Riverside County Operational Area.

The City of Riverside will participate in the County of Riverside Operational Area disaster response and recovery organization as required by Government Code Section 8605. As part of that participation, the City hereby adopts both the California Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS). The framework of these systems includes use of the incident command system (ICS), multi-agency or interagency coordination, participation in the master mutual aid agreement and systems of the State of California, and the Operational Area Concept. (Ord. 7115 § 1, 2011)

Section 9.20.260 Powers of the City Council.

The City Council is hereby empowered to enact such ordinances, resolutions or rules to prevent against, mitigate, and prepare for aid in the response or recovery to all such foreseeable or unforeseeable emergencies and disasters.

During a local emergency the City Council may promulgate orders and regulations necessary to provide for the protection of life and property, including orders and regulations imposing curfew within designated boundaries where necessary to preserve the public order and safety, orders against price fixing, and all other orders necessary to protect lives and property. Such orders and regulations and amendments and rescissions thereof shall be in writing and shall be given widespread publicity and notice.

Whenever a local emergency is declared by the Director of Emergency Services, the Emergency Services Manager of the City Office of Emergency Management shall prepare, with assistance of the City Attorney, a resolution ratifying the existence of a local emergency and the need for continuing the state of local emergency. The resolution shall be submitted by the Director of Emergency Services to the City Clerk for presentation to the City Council. The City Council shall approve or disapprove said resolution within seven (7) days from the date of the original declaration by the Director of Emergency Services and at least every thirty (30) days thereafter unless the state of emergency is terminated sooner. (Ord. 7115 § 1, 2011)

Section 9.20.270 Continuity of Government.

The continuity of local government during a local emergency, state of emergency, or state of war emergency requires minimum precautions in accordance with Government Code Section 8635, et seq. To fulfill this responsibility, the City of Riverside will provide for standby officers for City Council members, lines of succession for key City officials and department heads, alternate government facilities, protection of vital records, and adequate plans to provide for the continuance of essential governmental services during times of disasters and times of recovery to said disasters. (Ord. 7115 § 1, 2011)

Section 9.20.280 City Council Standby Officers.

The continuity of local government during a local emergency, state of emergency, or state of war emergency requires minimum precautions in accordance with Government Code section 8635, et seq. Each member of the City Council may appoint and designate by filing with the City Clerk the names of at least three qualified electors and their succession order from his or her ward who would fill his or her office as his or her standby officer in the event that such member is unavailable as defined in Government Code Section 8636, et seq. Any such appointee may be replaced by the appointing member at any time and for any reason. All such appointments and changes shall be in writing.

a) Each person so appointed as standby officer shall take the oath of office and shall deliver to the City Clerk within ten days after his or her appointment a written declaration under oath that he or she accepts the appointment and will faithfully perform the obligations imposed upon him or her thereby.

b) The duties of the standby officer are as stated in Government Code Section 8641, or its successor.

c) Standby officers shall be designated numbers 1, 2 and 3, as the case may be.

d) The qualifications of each standby officer should be carefully investigated, and the City Council may request the Chief of Police to aid in the investigation of any prospective appointee. No examination or investigation shall be made without the consent of the prospective appointee.

e) Each standby officer shall take the oath of office required of the person occupying the office for which he or she stands by. Persons appointed as standby officers shall

serve in their posts as standby officers at the pleasure of the City Council and may be removed and replaced at any time with or without cause.

f) Each standby officer shall have the following duties:

1. To inform himself or herself of the duties of the office for which he or she stands by. Officers and employees of the City will assist him/her and shall provide each standby officer with a copy of this Chapter, as well as a copy of Government Code Section 8635, et seq.

2. To keep informed of the business and affairs of the City to the extent necessary to enable him to fill his post competently. For this purpose the City may arrange information meetings and require attendance.

3. To immediately report themselves ready for duty in the event of a state of war emergency or in the event of a state of emergency or a local emergency at the place and in the method previously designated in the City Emergency Operations Plan.

4. To fill the post for which he has been appointed when the regular councilmember is unavailable in accordance with this Chapter.

5. Standby officers numbers 2 and 3 shall substitute in succession for standby officer number 1 in the same way that the standby officer is substituted in place of the regular councilmember. He or she shall serve until the regular councilmember becomes available or until the election or appointment of a new regular councilmember.

g) The Office of Mayor shall not be filled by a standby officer, but instead by the Mayor Pro Tempore as provided in Section 405 of the Riverside City Charter. (Ord. 7115 § 1, 2011)

Section 9.20.290 City Council Temporary Officers.

Pursuant to Government Code Section 8644, should all members of the City Council, including all standby officers, be unavailable, temporary officers shall be appointed to serve until a regular member or a standby member becomes available or until the election or appointment of a new regular or standby member.

Temporary officers shall be appointed as follows:

a) By the Chairperson of the Board of Supervisors of the County of Riverside, or, if he/she is unavailable;

b) By the Chairperson of the Board of Supervisors of any other county within 150 miles of the City, beginning with the nearest and most populated county and going to the farthest and least populated, or if he/she is unavailable;

c) By the Mayor of any city within 150 miles of the City, beginning with the nearest and most populated city and going to the farthest and least populated.

As used in this Chapter, the word "unavailable" means that a councilmember is either killed, missing or so seriously injured as to be unable to attend meetings and otherwise perform his/her duties. Any question as to whether a particular member is unavailable shall be settled by the City Council or any remaining available members of the City Council, including standby officers who are serving on the City Council. (Ord. 7115 § 1, 2011)

Section 9.20.300 Lines of Succession – Department Heads and Key Officials.

For the purpose of this Chapter, department heads and other key City officials shall provide for at least a four-deep order of succession of appropriate subordinate employees to succeed to their position if that Department Head is unavailable or unable to serve.

These lines of succession will be identified in each department's continuity plan.

For the purpose of this chapter, key officials and departments include:

a) City Manager and Assistant City Managers;

b) City Clerk;

c) City Attorney;

d) Chief Information Officer;

- e) Airport Department;
- f) Community Development Department;
- g) Development Department;
- h) Emergency Services Manager;
- i) Finance Department;
- j) Fire Department;
- k) General Services Department;
- l) Human Resources Department;
- m) Police Department;
- n) Parks, Recreation and Community Services Department;
- o) Public Utilities;
- p) Public Works.

As used in this Chapter, the word "unavailable" means that a department head or other key City official is either killed, missing or so seriously injured as to be unable to attend meetings and otherwise perform his duties. Any question as to whether a particular member is unavailable shall be settled by the Director of Emergency Services, or if unavailable his or her successor. (Ord. 7115 § 1, 2011)

Section 9.20.310 Powers of Succession.

For the purpose of this Chapter, each person who shall succeed to each position of office as provided herein, and as provided for in continuity plans, shall assume all of the powers and duties of the office succeeded to immediately upon such succession. (Ord. 7115 § 1, 2011)

Section 9.20.320 Punishment of Violations.

It shall be a misdemeanor for any persons during an 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 Title or in the performance of any duty imposed upon him by virtue of this Title.
- b) Engage in any act forbidden by any lawful rule or regulation issued pursuant to this title, 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 City, or to prevent, hinder or delay the defense or protection thereof.
- c) Wear, carry or display, without authority, any means of identification specified by an emergency agency of this City. (Ord. 7115 § 1, 2011)

Section 9.20.330 Repeal of Conflicting Ordinances.

Any ordinance or portion thereof in conflict herewith is hereby repealed to the extent of such conflict and no further. Provided that it is the intent of the City Council in enacting this title that it shall be considered a revision and continuation of the Title repealed by this title, and the status of volunteers shall not be affected by such repeal; nor shall plans and agreements, rules and regulations or resolutions adopted pursuant to such repealed title be affected by such repeal until amended, modified, or superseded as provided in this Title. (Ord. 7115 § 1, 2011)

Section 9.20.340 Severability.

If any provision of this Title is found to be invalid or unconstitutional by interpretation or application to any person or circumstances, such invalidity or unconstitutionality shall not affect the other provisions or applications thereof which can be given valid effect. (Ord. 7115 § 1, 2011)