

FILE NO. 991364

ORDINANCE NO. 259-99

1 [Administrative Code Revision, Chapter 7]
 2 AMENDING CHAPTER 7 OF PART I OF THE SAN FRANCISCO MUNICIPAL CODE
 3 (ADMINISTRATIVE CODE), BY AMENDING SECTIONS 7.6 [COMMANDER OF
 4 EMERGENCY SERVICES], 7.6-1 [VICE-COMMANDER], 7.9 [ORGANIZATION], 7.10
 5 [POLICE RESERVE], 7.11 [FIRE RESERVE], 7.16 [VOLUNTEERS], AND 7.17 [PENALTIES],
 6 AND BY REPEALING SECTION 7.19 [SEVERABILITY], TO UPDATE PROVISIONS AND
 7 ELIMINATE OBSOLETE LANGUAGE.

8
9 Note: Additions are underlined; deletions are in ((double parentheses)).

10
11 Be it ordained by the People of the City and County of San Francisco:

12
13 Section 1. Chapter 7 of the San Francisco Administrative Code is hereby amended by
14 amending Section 7.6, to read as follows:

15 **SEC. 7.6. THE EMERGENCY SERVICES OF SAN FRANCISCO — MAYOR**
 16 **((COMMANDER)); POWERS AND DUTIES.** ((There is hereby created the office of
 17 Commander of Emergency Services of San Francisco. The Mayor is designated as the
 18 Commander of the Emergency Services of San Francisco.))

19 (a) The Mayor is hereby empowered:

20 (1) To proclaim the existence or threatened existence of a local emergency as set forth
 21 under Section 3.100 of the Charter of the City and County of San Francisco and to terminate
 22 the local emergency;

23 (2) To request the Governor to proclaim a state of emergency when, in the opinion of
 24 the Mayor, the locally available resources are inadequate to cope with the emergency;

25 (3) To control and direct the effort of the City and County Emergency Services

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1 organization for the accomplishment of the purposes of this Chapter;

2 (4) To direct cooperation between and coordination of services and officers in charge
3 of the Emergency Services organization of the City and County; and resolve questions of
4 authority and responsibility that may arise between them;

5 (5) To represent this City and County in all dealings with public or private agencies on
6 matters pertaining to emergencies as defined herein; and

7 (6) To accept and approve on behalf of and without cost to the City and County, and in
8 cooperation with the federal government and the State of California, licenses or privileges
9 granted for the use of private property for the sole purpose of temporarily sheltering persons
10 against fallout radiation from enemy attack.

11 (b) In the event of the proclamation of a local emergency as herein provided, the
12 proclamation of a state of emergency by the Governor or the Director of the State Office of
13 Emergency Services, or the existence of a state of war emergency, the Mayor is hereby
14 empowered and it shall be his or her duty:

15 (1) To make and issue rules and regulations on matters reasonably related to the
16 protection of life and property as affected by such emergency;

17 (2) To obtain vital supplies, equipment and such other properties found lacking and
18 needed for the protection of life and property and to bind the City and County for the fair value
19 thereof and, if required immediately, to commandeer the same for public use;

20 (3) To require emergency services of any City officer or employee and, in the event of
21 the proclamation of a state of emergency in this City and County or the existence of a state of
22 war emergency, to command the aid of as many citizens of this community as the Mayor
23 deems necessary in the execution of his or her duties. Such persons shall be entitled to all
24 privileges, benefits, and immunities as are provided by State law for registered disaster
25 service workers;

- 1 (4) To requisition necessary personnel or material of any city department or agency;
- 2 (5) To enter into agreements with public and private agencies for the performance of
- 3 such special services and duties as may be necessary in the judgment of the Mayor to carry
- 4 out the provisions of this Chapter; and
- 5 (6) To execute all of his or her ordinary powers as Mayor, all of the special powers
- 6 conferred upon him or her by this Chapter, and all powers conferred upon him or her by any
- 7 other lawful authority.
- 8

9 Section 2. Chapter 7 of the San Francisco Administrative Code is hereby amended by

10 amending Section 7.6-1, to read as follows:

11 **SEC. 7.6-1. THE EMERGENCY SERVICES OF SAN FRANCISCO — USE OF THE**

12 **STANDARDIZED EMERGENCY MANAGEMENT SYSTEM ((VICE-COMMANDER;**

13 **POWERS AND DUTIES))**. The Emergency Services of San Francisco shall use the

14 Standardized Emergency Management System as specified in the California Code of

15 Regulations, Title 19, Chapter 1, in responding to, managing, and coordinating multiple

16 agency or multiple jurisdiction incidents, emergencies, and disaster operations, whether single

17 of multiple discipline. ((There is hereby created the position of Vice-Commander of

18 Emergency Services of San Francisco. The Mayor shall appoint a Vice-Commander of

19 Emergency Services of San Francisco. The Vice- Commander, in the absence of or at the

20 direction of the Commander, shall act on the Commander's behalf on matters within the

21 purview of this Chapter.))

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1 Section 3. Chapter 7 of the San Francisco Administrative Code is hereby amended by
2 amending Section 7.9, to read as follows:

3 **SEC. 7.9. THE EMERGENCY SERVICES OF SAN FRANCISCO —**

4 **ORGANIZATIONAL PROVISIONS.** The emergency functions of the Emergency Services
5 organization shall be set forth in the Emergency Operations Plan of the City. Department
6 heads responsible for planning, coordination, and integration of personnel from other city
7 departments and agencies into their services for emergency operations shall be designated in
8 the plan. These designated department heads shall formulate functional emergency plans
9 which, when approved by the Disaster Council, shall become an annex to the Emergency
10 Operations Plan. These department heads shall also develop such mutual aid agreements as
11 may be approved by the Board of Supervisors. Departments with area-wide functions and
12 responsibilities may become parties to joint venture emergency action agreements or
13 compacts with the recommended approval of the Disaster Council.

14 **Purchaser of Supplies.** The Purchaser of Supplies of the City and County shall be the
15 custodian of special equipment and other property obtained from any source for use of the
16 Emergency Services Organization. He or she is authorized to act as the agent of the City and
17 County to receive from any agency the loan of any such equipment or property upon such
18 conditions as may be prescribed by such agency. He or she shall keep an account of the
19 property entrusted to his or her control according to the terms of its acceptance, and where
20 there are no terms provided by such agency, then upon such terms as the commander may
21 prescribe. He or she shall keep records of the receipt and distribution of such property and
22 may issue or distribute such property only to the persons entitled thereto under the rules of
23 the Emergency Services. Any property now held by him or her for the use of the City and
24 County Disaster Corps shall be transferred to the use of the Emergency Services of San
25 Francisco.

1 **American Red Cross.** The American Red Cross is an independent organization that
2 works in close collaboration with local governments on emergency and disaster relief. The
3 Bay Area Chapter of the American Red Cross shall operate as a component of the City's
4 Emergency Services organization and the chapter chair or the chair's designee shall serve as
5 a liason between the chapter and the Emergency Services organization. The chapter shall
6 furnish basic emergency assistance to individuals affected by disaster, such as food, clothing,
7 emergency shelter, registration, disaster welfare inquiry, supplemental basic medical services,
8 and other types of assistance. The Red Cross, as an independent non-profit organization,
9 shall fund all its relief activities. When requested, personnel and other resources of the
10 Emergency Services organization may be used to supplement the Red Cross during disasters
11 or emergencies.

12 ((In a war-caused emergency the Disaster Organization of the Golden Gate Chapter of
13 the American National Red Cross shall function as an integral part of the welfare/shelter
14 services, subordinate to the direction of the Director, Department of Social Services. As such,
15 it shall operate the mass care services of feeding, clothing, and shelter to individuals affected
16 by the emergency. The Red Cross shall not be responsible for financing such operations as
17 are assigned to it by the welfare/shelter services in a war-caused emergency.

18 In a natural disaster, the Golden Gate Chapter of the American National Red Cross
19 shall function as a service of the Emergency Services organization, with the chapter
20 chairman, or a delegated representative thereof, as officer in charge of the service. In such
21 disasters, the chapter shall furnish food, clothing, shelter, registration, and inquiry service,
22 supplementary medical services when requested and rehabilitation to individuals and families
23 affected by the disaster. The American National Red Cross will provide funds with which to
24 finance all its relief operations in a natural disaster. When requested, the personnel of the
25 Department of Social Services may be used to supplement the Red Cross personnel in such

1 disaster situations.))

2
3 Section 4. Chapter 7 of the San Francisco Administrative Code is hereby amended by
4 amending Section 7.10, to read as follows:

5 **SEC. 7.10. POLICE AUXILIARY RESERVE.** The following terms as used in this
6 Section shall have the meaning ascribed to them, as follows:

7 "Chief" shall mean the Chief of Police.

8 "Commission" shall mean the Police Commission.

9 "Members" shall mean member of the San Francisco Police Auxiliary Reserve.

10 "Reserve" shall mean the San Francisco Police Auxiliary Reserve.

11 (a) The San Francisco Police Auxiliary Reserve is hereby created. The Reserve of not
12 more than 800 members ((men)) shall be under the direction of the Chief of Police and shall
13 be subject to such rules and regulations as the Police Commission may prescribe.

14 (b) The Commission shall, by rule, prescribe the qualifications and standards by which
15 applicants for membership in the Reserve shall be governed. Persons possessing the
16 qualifications and conforming to the standards may be appointed to the Reserve by the Chief.

17 (c) Members shall perform such public service as may be ordered by the Chief. It shall
18 be unlawful for any person wilfully to resist, delay or obstruct any member in the discharge, or
19 the attempt to discharge, of any duties of his or her office.

20 (d) The Reserve is hereby assigned the duty of preparing against the perils to life and
21 property that may be expected to result from enemy attack or sabotage, or from any
22 emergency that may threaten lives and property. Any duties assigned to its members shall be
23 deemed to be training in preparation against such perils.

24 (e) In the enforcement of the penal laws of the State of California, the penal
25 ordinances of the City and County and in the performance of such other duties as may be

1 designated by the Chief, every duly authorized member shall be deemed to have all the
2 powers of a peace officer.

3 (f) The approved dress, star and equipment to be worn and carried by the members
4 shall be as determined by rule of the Commission, subject to the fiscal provisions of the
5 Charter.

6 (g) It shall be unlawful for any person to impersonate or falsely represent himself or
7 herself to be a member, or, without authorization, to wear, use or possess a star used by the
8 Reserve.

9 (h) The Chief may dismiss a member from the Reserve, without any hearing
10 whatsoever. Each member shall have the right to resign from the Reserve at any time

11 (i) To be eligible for membership in the Reserve, each applicant must indicate his or
12 her willingness to serve an average minimum of 16 hours per month in the public service.
13 Where any member has failed to give such minimum hours of service for a period of two
14 months, the Chief shall inquire into the reasons therefor. Unless good reason is shown for
15 such failure to render the minimum hours herein required, the Chief may dismiss the member
16 from the Reserve.

17 (j) The Reserve shall be deemed to be a part of the law enforcement and traffic service
18 of the Emergency Services organization.

19 (k) The Commission is hereby authorized, directed and empowered to prepare and
20 promulgate such rules, regulations and revisions, and amendments thereof, as may, in its
21 discretion, be necessary to carry out the express intent of this Section.

22
23 Section 5. Chapter 7 of the San Francisco Administrative Code is hereby amended by
24 amending Section 7.11, to read as follows:

25 **SEC. 7.11. FIRE AUXILIARY RESERVE.** The following terms as used in this Section

1 shall have the meaning ascribed to them, as follows:

2 "Chief" shall mean the Chief of the Fire Department.

3 "Commission" shall mean the Fire Commission.

4 "Member" shall mean member of the San Francisco Fire Auxiliary Reserve.

5 "Reserve" shall mean the San Francisco Fire Auxiliary Reserve.

6 (a) The San Francisco Fire Auxiliary Reserve is hereby created. The Reserve of not
7 more than 800 members ((men)) shall be under the direction of the Chief of the Fire
8 Department and shall be subject to such rules and regulations as the Fire Commission may
9 prescribe.

10 (b) The Commission shall, by rule, prescribe the qualifications and standards by which
11 applications for membership in the Reserve shall be governed and persons possessing the
12 qualifications and conforming to the standards may be appointed to the Reserve by the Chief.

13 (c) Members shall perform such public service as may be ordered by the Chief. It shall
14 be unlawful for any person wilfully to resist, delay, or obstruct any member in the discharge, or
15 the attempt to discharge, of any duties of his or her office.

16 (d) The Reserve is hereby assigned the duty of preparing against the perils to life and
17 property that may be expected to result from enemy attack or sabotage or from any
18 emergency that may threaten lives and property. Any duties assigned to the members shall be
19 deemed to be training in preparation against such perils.

20 (e) The approved dress, badge and equipment to be worn and carried by the members
21 shall be as determined by rule of the Commission, subject to the fiscal provisions of the
22 Charter.

23 (f) It shall be unlawful for any person to impersonate or falsely represent himself of
24 herself to be a member, or, without authorization, to wear, use or possess a badge used by
25 the Reserve.

1 (g) The Chief may dismiss a member from the Reserve, without any hearing
2 whatsoever, and each member shall have the right to resign from the Reserve at any time.

3 (h) To be eligible for membership in the Reserve, each applicant must indicate his or
4 her willingness to serve an average minimum of 16 hours per month in the public service.
5 Where any member has failed to give such minimum hours of service for a period of two
6 months, the Chief shall inquire into the reasons therefor. Unless good reason is shown for
7 such failure to render the minimum hours herein required, the Chief may dismiss the member
8 from the Reserve.

9 (i) The Reserve shall be deemed to be a part of the Auxiliary Fire Service of the Fire
10 and Rescue Service of the Emergency Services organization.

11 (j) The Commission is hereby authorized, directed and empowered to prepare and
12 promulgate such rules, regulations and revisions, and amendments thereof, as may, in its
13 discretion, be necessary to carry out the express intent of this Section.

14
15 Section 6. Chapter 7 of the San Francisco Administrative Code is hereby amended by
16 amending Section 7.16, to read as follows:

17 **SEC. 7.16. COMPENSATION, IMMUNITIES AND ((LOYALTY)) OATH OF**
18 **MEMBERS.** All persons, other than officers and employees of the City and County
19 volunteering services pursuant to the provisions of this Chapter and the Emergency Plan,
20 shall serve without compensation from the City and County. While engaged in such services,
21 they shall have the same immunities as officers and employees of the City and County
22 performing similar duties. All volunteers, other than noncitizen volunteers, shall be required to
23 take an ((a loyalty)) oath in a form to be prescribed and approved by the Disaster Council, the
24 ((loyalty)) oath to be administered to the noncitizen volunteer worker only upon consent of the
25 worker. Current data maintained to provide information for deployment of volunteer workers

1 shall include the status of the ((loyalty)) oath for each such workers.

2
3 Section 7. Chapter 7 of the San Francisco Administrative Code is hereby amended by
4 amending Section 7.17, to read as follows:

5 **SEC. 7.17. VIOLATIONS OF CHAPTER; PENALTY.** It shall be a misdemeanor,
6 punishable by a fine of not to exceed \$1,000 ((\$500)), or by imprisonment for not to exceed
7 one year ((six months)), or both, for any person, during an emergency to:

8 (a) Wilfully obstruct, hinder or delay any member of the Emergency Services in the
9 enforcement of any lawful rule or regulation issued pursuant to this Chapter, or in the
10 performance of any duty imposed upon him or her by virtue of this Chapter;

11 (b) Do any act forbidden by any lawful rule or regulation issued pursuant to this
12 Chapter, if such act is of such a nature as to give, or be likely to give, assistance to the
13 enemy, or to imperil the lives or property of inhabitants of this City and County, or to prevent,
14 hinder or delay the defense or protection thereof;

15 (c) Wear, carry, or display, without authority, any means of identification specified by
16 the Emergency Agency of the State of California or by the Director of Emergency Services for
17 the City and County of San Francisco.

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1 Section 8. Chapter 7 of the San Francisco Administrative Code is hereby amended by
2 repealing Section 7.19.

3 ((SEC. 7.19. SEVERABILITY. If any provision of this Chapter or the application
4 thereof to any person or circumstance is held invalid, such invalidity shall not affect other
5 provisions or applications. To this end the provisions of this Chapter are declared to be
6 severable.))

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8
9 APPROVED AS TO FORM:

10 LOUISE H. RENNE, City Attorney

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13 By:


THOMAS J. OWEN
Deputy City Attorney

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SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 991364

Date Passed:

Ordinance amending Administrative Code Sections 7.6, 7.6-1, 7.9, 7.10, 7.11, 7.16, and 7.17 (Commander of Emergency Services, Vice-Commander, Organization, Police Reserve, Fire Reserve, Volunteers and Penalties); and by repealing Section 7.19 (Severability), to update provisions and eliminate obsolete language.

September 27, 1999 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 10 - Ammiano, Becerril, Bierman, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

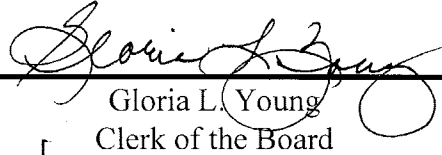
October 4, 1999 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki

Absent: 1 - Yee

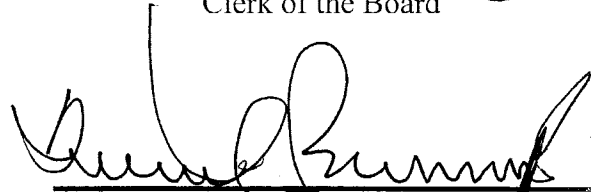
File No. 991364

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on October 4, 1999
by the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

OCT 15 1999

Date Approved


Mayor Willie L. Brown Jr.