

Los Angeles County Operational Area

**EMERGENCY PROCLAMATIONS
AND
DISASTER DECLARATIONS**

Provided by the
Disaster Management Area Coordinators
and Los Angeles County Office of Emergency Management

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Emergency Proclamations and Disaster Declarations

Local Emergency Proclamations/Resolutions

Overview

When there is a condition of extreme peril or potential peril to the safety of persons and property, and the condition is beyond the capability of the local jurisdiction to control effectively, the local governing body (city council, board of supervisors or a person authorized by ordinance) may proclaim that a local emergency exists. A local emergency may be proclaimed to exist due to a specific situation, such as flood, fire, storm, earthquake, epidemic, drought, sudden and severe energy shortage, or other condition. The type of disaster, date of occurrence and area affected are to be identified.

- A copy of the resolution must be provided as soon as possible to the Los Angeles County Operational Area for transmission to California Emergency Management Agency (Cal EMA).
- To qualify for assistance under the state California Disaster Assistance Act (CDAA), such proclamations must be made within 10 days of the event.
- A Local Emergency proclaimed by the city's Director of Emergency Services (designated by ordinance) must be ratified by the City Council within seven days.
- The governing body shall review, at its regularly scheduled meetings until the Local Emergency is terminated, the need for continuing the Local Emergency. However, in no event shall a review take place more than 21 days after the previous review. However, if the governing body meets weekly, it shall review the need for continuing the Local Emergency at least every 14 days, until the Local Emergency is terminated.
- The governing body shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant.

The proclamation of a local emergency:

- Gives public employees and governing bodies certain legal immunities for emergency actions taken.
- If the conditions described in the California Emergency Services Act warrant a local emergency, it enables local agencies to request state assistance under the State CDAA.
- Allows the chief executive or other authorized official designated by local ordinance to:
 - Establish curfews.
 - Take any measures necessary to protect and preserve public health and safety.
 - Exercise all authority granted by local ordinance.

Cities Covered Under a County Proclamation

When a county proclaims a local emergency pursuant to Section 8630 of the Government Code, based upon conditions which include both incorporated and unincorporated territory of the county, it is not necessary for the cities to also proclaim the existence of a local emergency independently. Further, cities within a county are bound by county rules and regulations adopted by the county pursuant to Section 8634 of the Government Code during a county proclaimed local emergency when the local emergency includes both incorporated and unincorporated territory of the county

even if the cities do not independently proclaim the existence of a local emergency. (see FAQ: County Counsel Opinion – pg 11)

Local Resolution Requesting State Director, California Emergency Management Agency (Cal EMA), Concurrence in Local Emergencies

Following the proclamation of a local emergency and in the event public property has been damaged or destroyed and assistance is needed in the repair and restoration, the governing body may request the California Emergency Management Agency (Cal EMA) Director to concur in their proclamation of a local emergency and to provide assistance under the California Disaster Assistance Act (CDAA). The resolution must indicate the nature and date of the emergency, and the person designated to receive, process and coordinate all aid. The resolution will be sent to California Emergency Management Agency (Cal EMA) through the Los Angeles County Operational Area.

To assist the California Emergency Management Agency (Cal EMA) Director in evaluating the situation, and in making a decision on whether or not to concur in the local emergency, the following is required to accompany the resolution:

- Copy of local emergency proclamation
- Initial Damage Estimate or Damage Assessment Summary (if requested)

Note: The Local Emergency proclamation must be made within 10 days of the occurrence to qualify for assistance under the State Disaster Assistance Act. Financial assistance available under the CDAA is administered by California Emergency Management Agency (Cal EMA).

State of Emergency/Presidential Declaration/Resolution Requesting Governor to Proclaim a State of Emergency

After a proclamation of a local emergency, the governing body of the city or county, having determined that local resources are not sufficient to mitigate the situation, may request by letter or resolution that the Governor proclaim a state of emergency in the area to fully commit state and mutual aid assistance and provide resources to assist local government.

To support its request for a gubernatorial proclamation, it is essential that the local jurisdiction forward an estimate of damage and financial loss to California Emergency Management Agency (Cal EMA) through the Operational Area as rapidly as possible. Estimates of loss are an important part of the criteria that California Emergency Management Agency (Cal EMA) considers when making a determination to proclaim a state of emergency and request a Presidential Declaration of Emergency or Disaster.

A copy of the request for a Governor's proclamation, with the following supporting data, must be forwarded, and may be faxed, to the Los Angeles County Operational Area Office of Emergency Management for transmission to the California Emergency Management Agency (Cal EMA) Director:

- Copy of the local emergency proclamation.
- Damage assessment summary and estimate of financial loss (while this information may not

be readily available at the point the proclamation is sent, it must be provided as rapidly as possible following the local proclamation).

The California Emergency Management Agency (Cal EMA) prepares a recommendation as to the action that should be taken by the Governor. If the action recommends a Governor's proclamation, Cal EMA prepares the proclamation.

Presidential Declaration

Following the proclamation of a state of emergency, the California Emergency Management Agency (Cal EMA) Director may recommend that the Governor request a Presidential declaration of a major disaster under the authority of Public Law 93-288. The Governor's request to the president is submitted through the Federal Emergency Management Agency (FEMA).

Supplementary justification data may be required to accompany the state and local proclamations and Initial Damage Estimate.

Renewal of Local Emergency Proclamations

There has been some confusion if cities or counties need to renew their local emergency proclamations following a state of emergency to receive state or federal assistance.

State of California

As stated in the *Emergency Services Act, Article 14, Section 8630* (Proclamation by local governing body; Duration; Review):

“(a) A local emergency may be proclaimed only by the governing body of a city, county, or city and county, or by an official designated by ordinance adopted by that governing body.

(b) Whenever a local emergency is proclaimed by an official designated by ordinance, the local emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the governing body.

(c) (1) The governing body shall review, at its regularly scheduled meetings until the local emergency is terminated, the need for continuing the local emergency. However, in no event shall a review take place more than 21 days after the previous review. (2) Notwithstanding paragraph 1, if the governing body meets weekly, it shall review the need for continuing the local emergency at least every 14 days, until the Local Emergency is terminated.

(d) The governing body shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant.”

Natural Disaster Assistance Act (NDAA)

In order to receive CDAA funds, the local emergency has to be proclaimed within 10 days of the incident period. CDAA does not make reference to reviewing the proclamation every 14 days; although, locals are required to do this under the Emergency Services Act. In addition, locals have to certify that they are in compliance with the Standardized Emergency Management System (SEMS) as a condition of receiving cost reimbursement for their emergency work labor costs under CDAA. (Disaster Assistance Funding Guidance)

Federal Emergency Management Agency (FEMA)

FEMA does not require local governing bodies to renew their local emergency proclamations every 14 days in order to receive federal funding.

Conclusion

Based on review of the Emergency Services Act, California Disaster Assistance Act and the Federal Emergency Management Agency’s local emergency renewal policy, it is not necessary for local governing bodies to continue to renew their local emergency proclamations in order to be eligible for state and federal disaster assistance.

FREQUENTLY ASKED QUESTIONS

Local Emergency (City/County)

What is a local emergency?

Conditions of disaster or extreme peril (air pollution, fire, flood, storm, epidemic, riot, drought, sudden/severe energy shortage, plant or animal infestation or disease, Governor's warning of earthquake/volcanic predictions, and earthquakes) to safety of persons/property that are likely to exceed resources/capability of the "proclaiming" political jurisdiction.

Where is it proclaimed?

Within a county, city and county, or city.

Who proclaims it?

It depends on each jurisdiction's ordinance. Usually the mayor, city manager, police chief, fire chief, or emergency manager.

For Los Angeles County, it's the Chair (Mayor) of the Board of Supervisors, the Board of Supervisors, the Chief Administrative Officer, or the Sheriff (in that order).

Why proclaim a local emergency?

It provides:

- immunity from negligence
- authority to promulgate emergency orders and regulations
- confers extraordinary police powers
- exceptions to statutorily mandated procedures
- first step in process to access state/federal disaster relief programs

When should a local proclamation be made?

- When the jurisdiction needs the combined forces (resources) of other jurisdictions to respond effectively to the emergency; and
- When immunity, authority, extraordinary powers, exceptions to mandates, and financial relief are a necessary component of an effective response.

Under the Standardized Emergency Management System (SEMS), cities must send their local proclamations to California Emergency Management Agency (Cal EMA) through their county Operational Area Coordinator.

Note:

It is not necessary for a city to proclaim an emergency if the county proclaims an emergency for the entire geographic county area or for a specific area that includes the impacted city or cities.

FREQUENTLY ASKED QUESTIONS

State of Emergency (State)

What is a state of emergency?

Conditions of disaster or extreme peril to safety of persons/property likely to exceed the resources of any single county, city and county, or city and require combined forces of a mutual aid region or regions.

Where is it proclaimed?

Anywhere within the state where the conditions of extreme peril/disaster exist.

Who requests it?

Usually the county, although the state may make its own determination absent a local request.

Who proclaims it?

The governor.

Why proclaim a state of emergency?

- One or more local governments have proclaimed local emergencies and requested assistance from the state.
- A gubernatorial proclamation will provide certain immunities and privileges for state and local authorities responding to the emergency.
- The state proclamation authorizes the governor to expend emergency funds and use state resources, i.e., state agencies, National Guard, California Conservation Corps, etc.
- It activates the California Disaster Assistance Act (CDAA) which provides financial assistance:
 - to repair, restore, reconstruct, or replace public real property or public facilities belonging to local agencies
 - for local agency overtime costs and costs of supplies used during eligible response projects
 - for certain indirect costs, and the direct cost to administer the disaster claims

It paves the way for access to federal disaster relief programs. Once a Presidential Declaration of Disaster is made, the Federal Emergency Management Agency (FEMA) will reimburse 75% of eligible public assistance programs, with the state and local government providing the remaining 25%.

When should the governor proclaim a state of emergency?

- When the scope of the emergency's physical and economic impact clearly warrants the need for mutual aid and other types of resources and assistance; and
- When immunity, authority, extraordinary powers, exceptions to mandates and financial relief are a necessary component of an effective response.

State Assistance Available Without a Governor's Proclamation of Emergency**Cal EMA Director's Concurrence**

If the local jurisdiction has proclaimed an emergency, and public property has been damaged, it may be in the jurisdiction's best interest to request a "State Director, California Emergency Management Agency (Cal EMA), Concurrence in Local Emergency". Such concurrence makes available certain funding under the Natural Disaster Assistance Act for repair and restoration of public facilities.

Department of Water Resources

Under provisions of the Water Code, the Department of Water Resources may declare an emergency resulting from floods, storms or fire-ravaged lost watershed and provide assistance to avert, alleviate, repair or restore damaged property having a general public interest and state interest.

Department of Transportation

Under Government Code, the Department of Transportation may declare an emergency and provide assistance to avert, alleviate, repair or restore streets, roads, bridges damaged by storms or floods.

FREQUENTLY ASKED QUESTIONS

Presidential Declaration of Disaster (Federal)

What is a presidential declaration of major disaster?

Any natural catastrophe (hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought), or regardless of cause, any fire, flood, or explosion which the President determines to be of such severity as to warrant major federal disaster assistance.

Where is it declared?

Anywhere within the United States where such conditions exist. States include the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, the Commonwealth of the Northern Mariana Islands, or the Federated States of Micronesia.

Who requests it?

The Governor of the impacted state, based on finding that the disaster is of such severity and magnitude that effective response is beyond the ability of the State and affected local jurisdictions.

Who declares the existence of a major disaster?

The President of the United States.

Why make a disaster declaration?

The disaster is of such a magnitude that federal resources are needed to combat its effects.

The declaration makes a broad range of assistance available to individual victims.

“Individual Assistance” may include:

- Temporary housing for disaster victims, including home repair funds in lieu of other forms of temporary housing.
- Disaster unemployment and job placement assistance for people who lose their job as a result of the disaster.
- Individual and family grants (IFG) of up to \$10,400 to help meet disaster-related needs when those needs cannot be met by other programs.
- Legal services to low-income disaster victims.
- Crisis counseling and referrals.
- Loans to individuals, businesses, and farmers for repair, rehabilitation or replacement of damaged real and personal property and some production losses not fully covered by insurance.
- Agricultural assistance.
- Veteran’s assistance.
- Tax relief, including help from the IRS in claiming casualty losses resulting from the disaster, and State tax assistance.
- Waiver of penalties for early withdrawal of funds from certain time deposits.
- The Cora Brown Fund, to assist victims with needs that have not been or will not be met

by government agencies or private organizations.

Under a major disaster declaration, assistance may be approved to fund 75% of the costs for the following:

- Debris clearance, when in the public interest, on public or private lands or waters;
- Emergency protective measures for the preservation of life and property;
- Repair or replacement of roads, streets and bridges;
- Repair or replacement of water control facilities;
- Repair or replacement of public buildings and related equipment;
- Repair or replacement of public utilities; and
- Repair or restoration of recreational facilities and parks.

Other forms of assistance that may be made available include:

- Community disaster loans from FEMA;
- Repairs and operating assistance to public elementary and secondary schools by the Department of Education;
- Use of Federal equipment, supplies, facilities, personnel, and other resources from various Federal agencies;
- Repairs to Federal-aid system roads when authorized by DOT; and
- Repairs to projects when authorized by the U.S. Army Corps of Engineers or the Soil Conservation Services.

Presidential Declaration of Emergency (Federal)

Depending on the circumstances, the President may make a Declaration of Emergency instead of a Declaration of Disaster. Emergency Declarations unleash the support of any or all of 27 federal agencies. It also authorizes reimbursement of emergency work, such as debris removal and emergency protective measures. It stops short, however, of providing reimbursement for permanent restoration work and individual assistance.

Local Emergency Proclamation Checklist and Quick Reference for Cities

This information is provided as a guide for cities when considering a Proclamation of a Local Emergency.

☐ **Review criteria for proclaiming a Local Emergency**

In general, at least two of the criteria listed below should be met before proclaiming an emergency:

- There exists a condition of extreme peril to persons and property.
- The means to resolve conditions of extreme peril will probably exceed the capability of the jurisdiction (need for mutual aid).
- There is a need to protect those who must provide emergency services. This protection includes:
 - Immunity from negligence in the performance of emergency-related duties.
 - Protection of the jurisdiction and its work force from personal injury claims resulting from actions taken.
 - The need to promulgate orders and regulations to facilitate the maintenance of order and reduction in potential loss of life and property.
 - The need to employ extraordinary police powers.
 - The need to temporarily allow exceptions to *local* statutorily mandated procedures to facilitate emergency operations.

(The above are legal criteria per the CA Emergency Services Act [ESA].)

- Additionally, there may be a need to send a firm message to the public that will clearly demonstrate government's resolve to deal with potentially perilous situations.

(The above is not a legal criteria per the ESA)

☐ **Has Los Angeles County proclaimed a Local Emergency?**

When a county proclaims a local emergency pursuant to Section 8630 of the Government Code, based upon conditions which include both incorporated and unincorporated territory of the county, it is not necessary for the cities to also proclaim the existence of a local emergency independently.

Further, cities within a county are bound by county rules and regulations adopted by the county pursuant to Section 8634 of the Government Code during a county proclaimed local

emergency when the local emergency includes both incorporated and unincorporated territory of the county even if the cities do not independently proclaim the existence of a local emergency. (See County Counsel opinions—FAQs)

- ☐ A Local Emergency may be proclaimed by the local governing body (City Council) or by Director of Emergency Services or other person designated in your Emergency Services Ordinance. This resolution must be ratified by City Council within 7 days.

As soon as possible after proclaiming a Local Emergency:

- ☐ Notify the Los Angeles County Op Area via:
 - 1) OARRS (after initial notification to your contact Sheriff's Station Watch Commander and DMAC); or
 - 2) If OARRS is not available, then notify your contact Sheriff's Station by means coordinated and agreed to by the Watch Commander and city staff. The Sheriff's Station will then be responsible for entering the data into OARRS through a Jurisdiction Situation Report.
- ☐ Notify your Disaster Management Area Coordinator (DMAC) via phone or pager and fax a copy of the resolution to them. Your DMAC will act as a liaison between you and the county and can assist in expediting the process.
- ☐ Fax a copy of the Proclamation to the Los Angeles County Op Area EOC.

The Op Area will compile information from all jurisdictions within the County and will transmit the Proclamation(s) to the Governor's California Emergency Management Agency (Cal EMA), Southern Region. The Proclamation(s) will then be transmitted to California Emergency Management Agency (Cal EMA) Headquarters for review and evaluation.
- ☐ Notify your City's key EOC staff:

Emergency Services Coordinator, Police Dept. Watch Commander, Fire Dept. Duty Battalion Chief and other appropriate departments so they are aware of the Proclamation.
- ☐ (1) The City Council or governing body shall review, at its regularly scheduled meetings until the local emergency is terminated, the need for continuing the local emergency. However, in no event shall a review take place more than 21 days after the previous review.

(2) Notwithstanding paragraph (1), if the governing body meets weekly, it shall review the need for continuing the local emergency at least every 14 days, until the local emergency is terminated.
- ☐ If the local emergency is continued, a new proclamation does not need to be issued—

council can pass a motion to continue. Fax a copy of the documentation to the Los Angeles County Op Area EOC.

- ☐ The governing body shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant. Fax a copy of the Termination Resolution to the Los Angeles County Op Area EOC.
- ☐ If a city declares a local emergency and the Governor proclaims a State of Emergency as well, that city is required to prepare an After Action Report (AAR) and submit to the Op Area within 90 days of the close of the disaster for transmittal to California Emergency Management Agency (Cal EMA). If a city is covered under a County Proclamation, the County is then responsible for submission of the AAR. Although it is not required under SEMS law, an AAR is highly recommended as a vehicle for reviewing overall response operations.
- ☐ If a city and/or county declares a local emergency and the President declares the city and/or county to be a disaster area, the city and/or county will be responsible for developing a Corrective Action Report (CAR) for identifying those items (plans, procedures, processes, etc.) which need to be improved and how those improvements are to be implemented.

Notes:

- While a Local Emergency is a prerequisite for obtaining assistance for public agencies under the State's Natural Disaster Assistance Act, a local proclamation is not a guarantee of assistance.
- A Local Emergency does not guarantee eligibility for disaster recovery money from FEMA.
- Once the Governor has proclaimed a State of Emergency and the President has declared a Major Disaster, a Local Emergency need not be continued in order to continue to receive assistance.
- If a Proclamation of State of Emergency is desired, it may be included in the local proclamation or be conveyed by a letter from the mayor or chairman of the board of supervisors.
- If you request a State of Emergency, it is critical to provide information supporting the determination that the conditions necessitating the action exist, i.e., Initial Damage Estimates (IDE), Situation Reports, etc.
- The State California Emergency Management Agency (Cal EMA) requests a federal declaration.

Sample Emergency Proclamation Forms (Resolutions)

The following suggested resolutions were developed by California Emergency Management Agency (Cal EMA) to carry out the authority granted in the city's municipal code.

As the provisions of the emergency ordinance in effect in any particular city or county may differ, it is suggested that these resolutions be reviewed prior to the occurrence of any emergency by the city attorney concerned, and such changes made as may be necessary to bring them into conformance with the emergency ordinance of the particular city.

Exhibit 1 (EOC Form 015A) -	Resolution Proclaiming Existence of a Local Emergency (by City Council).
Exhibit 2 (EOC Form 015B) -	Resolution Proclaiming Existence of a Local Emergency (by Director of Emergency Services or other person designated in ordinance). Must be ratified by governing body within 7 days.
Exhibit 3 (EOC Form 015C) -	Resolution Confirming Existence of a Local Emergency (used by a City Council within 7 days to ratify the proclamation of local emergency issued by the Director of Emergency Services).
Exhibit 4 (EOC Form 015D) -	Resolution Requesting Governor to Proclaim a State of Emergency.
Exhibit 5 (EOC Form 015F) -	Local Resolution Requesting State Director, California Emergency Management Agency (CalEMA)' Concurrence in Local Emergencies.
Exhibit 6 (EOC Form 015G) -	Resolution Proclaiming Termination of a Local Emergency.

**RESOLUTION PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY
(by City Council)**

WHEREAS, Ordinance No. _____ of the City of ???? empowers the City Council to proclaim the existence or threatened existence of a local emergency when said city is affected or likely to be affected by a public calamity; and

WHEREAS, said City Council has been requested by the Director of Emergency Services* of said city to proclaim the existence of a local emergency therein; and

WHEREAS, said City Council does hereby find:

That conditions of extreme peril to the safety of persons and property have arisen within said city, caused by _____;
(fire, flood, storm, epidemic, riot, earthquake, drought, energy shortage, or other causes)
commencing on or about _____ .m. on the _____ day of _____, 20____); and

That the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout said city; and

IT IS HEREBY FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the Director of Emergency Services* and the emergency organization of this city shall be those prescribed by state law, by ordinances, and resolutions of this city and approved by the City Council on _____, 20____.

IT IS FURTHER PROCLAIMED AND ORDERED that said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of _____, State of California.**

Dated: _____

CITY COUNCIL

ATTEST: _____

City of ????

* Use appropriate title, as established by ordinance.

** Section 8630 of the Government Code provides: "... (c) (1) The governing body shall review, at its regularly scheduled meetings until the local emergency is terminated, the need for continuing the local emergency. However, in no event shall a review take place more than 21 days after the previous review. (2) Notwithstanding paragraph (1), if the governing body meets weekly, it shall review the need for continuing the local emergency at least every 14 days, until the local emergency is terminated. (d) The governing body shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant."

RESOLUTION PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY*
(by Director of Emergency Services)**

WHEREAS, Ordinance No. _____ of the City of ???? empowers the Director of Emergency Services** to proclaim the existence or threatened existence of a local emergency when said city is affected or likely to be affected by a public calamity and the City Council is not in session; and

WHEREAS, the Director of Emergency Services** of the City of ???? does hereby find;

That conditions of extreme peril to the safety of persons and property have arisen within said city, caused

by _____; and;

(fire, flood, storm, epidemic, riot, earthquake, drought, energy shortage, or other causes)

That the City Council of the City of ???? is not in session (and cannot immediately be called into session);

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout said city; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the emergency organization of this city shall be those prescribed by state law, by ordinances, and resolutions of this city, and by the City of ????'s Emergency Operations Plan, as approved by the City Council on _____, 20____.

Dated: _____ By: _____

Director of Emergency Services**
City of ????

* This form may be used when the director is authorized by ordinance to issue such a proclamation. Section 8630 of the Government Code provides: "...Whenever a local emergency is proclaimed by an official designated by ordinance, the local emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the governing body ..."

** Use appropriate title, as established by ordinance.

RESOLUTION CONFIRMING EXISTENCE OF A LOCAL EMERGENCY*

WHEREAS, Ordinance No. _____ of the City of ???? empowers the Director of Emergency Services** to proclaim the existence or threatened existence of a local emergency when said city is affected or likely to be affected by a public calamity and the City Council is not in session, subject to ratification by the City Council within seven days; and

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within this city,

caused by _____
(fire, flood, storm, epidemic, riot, earthquake, drought, energy shortage, or other causes)
commencing on or about _____ .m. on the _____ day of _____, 20____, at which time the City Council of the City of ???? was not in session; and

WHEREAS, said City Council does hereby find that the aforesaid conditions of extreme peril did warrant and necessitate the proclamation of the existence of a local emergency; and

WHEREAS, the Director of Emergency Services** of the City of ???? did proclaim the existence of a local emergency within said city on the _____ day of _____, 20____;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of ???? , State of California.***

Dated: _____

CITY COUNCIL

ATTEST: _____

City of ????

* This form may be used by a City Council to ratify the proclamation of existence of a local emergency, issued by the Director of Emergency Services.

** Use appropriate title, as established by ordinance.

*** Section 8630 of the Government Code provides: "... (c) (1) The governing body shall review, at its regularly scheduled meetings until the local emergency is terminated, the need for continuing the local emergency. However, in no event shall a review take place more than 21 days after the previous review. (2) Notwithstanding paragraph (1), if the governing body meets weekly, it shall review the need for continuing the local emergency at least every 14 days, until the local emergency is terminated. (d) The governing body shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant."

**RESOLUTION REQUESTING GOVERNOR TO
PROCLAIM A STATE OF EMERGENCY**

WHEREAS, on _____, 20____, the City Council of the City of ???? found that due to _____;
(fire, flood, storm, epidemic, riot, earthquake, drought, energy shortage, or other causes)
a condition of extreme peril to life and property did exist within said city; and

WHEREAS, in accordance with state law the City Council proclaimed an emergency did exist throughout said City; and

WHEREAS, it has now been found that local resources are unable to cope with the effects of said emergency;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that a copy of this resolution be forwarded to the Governor of California with the request that he proclaim the City of ???? to be in a state of emergency; and

IT IS FURTHER ORDERED that a copy of this resolution be forwarded to the State Director of the California Emergency Management Agency (CalEMA); and

IT IS FURTHER RESOLVED that _____, (Title)_____,
is thereby designated as the authorized representative for public assistance and
_____, (Title)_____, is hereby designated as the authorized
representative for individual assistance of the City of ???? for the purpose of receipt, processing, and
coordination of all inquiries and requirements necessary to obtain available state and federal
assistance.

Dated : _____

CITY COUNCIL

ATTEST: _____

City of ????

**LOCAL RESOLUTION REQUESTING STATE DIRECTOR, OFFICE OF
EMERGENCY SERVICES' CONCURRENCE IN LOCAL EMERGENCIES***

WHEREAS, on _____, 20____, the City Council of the City of ???? found that due to _____;
(fire, flood, storm, epidemic, riot, earthquake, drought, energy shortage, or other causes)
a condition of extreme peril to life and property did exist within said city; and

WHEREAS, in accordance with state law the City Council now proclaims an emergency does exist throughout said City;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that a copy of this resolution be forwarded to the State Director of the California Emergency Management Agency (CalEMA) with a request that he/she find it acceptable in accordance with provisions of the Natural Disaster Assistance Act; and

IT IS FURTHER RESOLVED that _____, (Title) _____,
is hereby designated as the authorized representative of the City of ???? for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state assistance.

Dated: _____

CITY COUNCIL

ATTEST: _____

City of ????

* Proclamation of local emergency must be made within 10 days of the disaster occurrence in order to qualify for assistance under the Natural Disaster Assistance Act.

Note: Attach list of damaged Public Facilities showing location and estimated cost of repairs.

Exhibit 5 EOC-015F

RESOLUTION PROCLAIMING TERMINATION OF LOCAL EMERGENCY

WHEREAS, a local emergency existed in the City of ???? in accordance with the resolution thereof by the City Council on the _____ day of _____, 20____,

or

Director of Emergency Services* on the _____ day of _____,
20_____, and its ratification by the City Council on the _____ day of _____,
20_____,

as a result of conditions of extreme peril to the safety of persons and property caused by
_____; and
(*fire, flood, storm, epidemic, riot, earthquake, drought, energy shortage, or other causes*)

WHEREAS, the situation resulting from said conditions of extreme peril is now deemed to be within the control of the normal protective services, personnel, equipment, and facilities of and within said City of _____;

NOW, THEREFORE, the City Council of the City of ???? , State of California, does hereby proclaim the termination of said local emergency.

Dated: _____

CITY COUNCIL

City of ????

ATTEST: _____

* Use appropriate title, as established by ordinance.