

ORDINANCE O2026-\_\_

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AMENDING NAPA MUNICIPAL CODE CHAPTER 2.89 EMERGENCY MANAGEMENT AND DISASTER PREPAREDNESS

WHEREAS, Napa Municipal Code Section 2.89 ensures the City is prepared to protect persons and property during a local emergency by establishing a framework for emergency planning, coordination, and response. It provides for the delegation of authority to the Emergency Management Director and the City's emergency organization, promotes coordination with public agencies, private organizations, and the community, facilitates mutual aid, and implements the provisions of the California Emergency Services Act (Government Code Section 8550 et seq.); and

WHEREAS, The City's Office of Emergency Management (OEM) staffing structure includes the Disaster Council, composed of the City Council, the Emergency Management Director, the Emergency Management Coordinator, and the Emergency Manager; and

WHEREAS, With the adoption of the Fiscal Year 2026/27 Budget (Resolution R2025-073), the City established the Emergency Manager position, resulting in minor updates to OEM roles and responsibilities; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meeting of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Napa as follows:

**SECTION 1: Amendment.** Napa Municipal Code section 2.89 is hereby amended to read as follows:

2.89.010. Purpose.

The purpose of this chapter is to provide for the preparation and implementation of plans for: protection of persons and property within the city in the event of a local emergency; delegation of authority to the Emergency Management Director and the emergency organization; coordination of the emergency functions of the city with all other public agencies, corporations, organizations, and affected persons; facilitation of mutual aid to and for affected persons; and implementation of the California Emergency Services Act (Government Code Section 8550, et seq.).

2.89.020. Definitions.

## ATTACHMENT 2

As used in this chapter, "Local Emergency" means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within city limits, caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake, or other conditions, other than conditions resulting from a labor controversy, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the City 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 California Public Utilities Commission (Government Code Section 8558, et seq.).

### 2.89.030. Disaster Council membership and duties.

The City of Napa Disaster Council is hereby created and shall consist of the members of the City Council. The duties of the Disaster Council shall be to perform the actions which the City Council finds to be authorized or required by the California Emergency Services Act. The Mayor shall be the chairperson, and the Vice Mayor shall be the vice chairperson. There shall be no regular meetings of the Disaster Council; and special meetings of the Disaster Council shall be called in accordance with the requirements of the Ralph M. Brown Act. (See California Government Code Section 54956.)

### 2.89.040. Emergency Organization and Office of Emergency Management (OEM).

All officers and employees of the 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 impressed into service under the provisions of Section 2.89.050(G)(3) of this chapter, shall be charged with duties incident to the protection of life and property in the city during such emergency, shall constitute the city's emergency organization under the Office of Emergency Management.

The structure, duties, and functions of the Office of Emergency Management and the order of emergency succession to the position of Emergency Management Director shall be adopted by resolution of the City Council.

### 2.89.050. Emergency Management Director.

There is hereby created the office of Emergency Management Director. The City Manager shall be the Emergency Management Director. If the City Manager is not available, the Emergency Management Director position will be filled by an Assistant City Manager, the Emergency Management Coordinator or other designee pursuant to Section 2.89.060 of this chapter.

The Emergency Management Director is hereby authorized to:

## ATTACHMENT 2

A. Proclaim the existence of a "local emergency." If the City Council is in session, the Emergency Management Director shall request the City Council to proclaim the local emergency. If the City Council is not in session, the Emergency Management Director is authorized to proclaim the local emergency; provided, that the local emergency shall not remain in effect for a period more than seven days unless it has been ratified by the City Council. After the proclamation of an emergency, the City Council shall review the need for continuing the local emergency at each regularly scheduled meeting, and at least every 60 days. The City Council shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant.

B. When, in the opinion of the Emergency Management Director, the effect of a local emergency is (or is likely to be) beyond the control of city resources, the Emergency Management Director is authorized to request the governor to proclaim a "state of emergency," and the Emergency Management Director is authorized to request the Governor to request a presidential declaration of disaster.

C. Develop and implement emergency management plans in accordance with Section 2.89.080 of this chapter and manage the emergency management programs of the city.

D. Manage and direct the city's Office of Emergency Management to accomplish the purposes of this chapter and related emergency management plans.

E. Manage and coordinate the efforts of the city's Office of Emergency Management with the efforts of other agencies assisting in the response to a local emergency to resolve questions of jurisdiction, authority and responsibility that may arise.

F. Manage city resources so that the city is appropriately represented in all dealings with public or private agencies on matters pertaining to local emergencies.

G. In the event of the proclamation of a "local emergency," the Emergency Management Director is hereby authorized to take the following actions (in accordance with the California Emergency Services Act, as well as California Government Code Section 38791); provided, however, that such actions shall be reported to the City Council at the earliest practicable time:

1. Make and issue rules and regulations on matters reasonably related to the protection of people and property as affected by the local emergency;

2. Obtain vital supplies, equipment, other property, or services to the extent needed for the protection of people and property and to bind the city for the fair value thereof and, if required immediately, to commandeer the same for public use;

3. Require emergency services of any city officer or employee and, in the event of

## ATTACHMENT 2

the proclamation of a "state of emergency" in the county in which this city is located or the existence of a "state of war emergency," to command the aid of as many citizens of this community as he or she deems necessary in the execution of their duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers;

4. Requisition necessary personnel or material of any city department or agency;

5. Execute all ordinary authority of the City Manager, as well as all the special authority conferred upon the Emergency Management Director by city law (including this chapter, city resolutions, the city's emergency management plans, and City Charter), as well as any other lawful authority.

### 2.89.060. Emergency Management Coordinator.

There is hereby created the office of Emergency Management Coordinator, who shall be the Fire Chief, or other person, as appointed by the City Manager. In the absence or incapacity of the Director (or designee) during a local emergency, the Emergency Management Coordinator shall exercise all authority vested by this chapter in the Director.

The Emergency Management Coordinator shall:

A. Supervise the Emergency Manager.

B. Perform all duties assigned by the Emergency Management Director.

C. Coordinate the activities of all emergency services in pre-emergency planning, during an emergency and in post-emergency activities as a staff officer to the Emergency Management Director.

### 2.89.070. Emergency Manager.

There is hereby created the office of the Emergency Manager, who shall have the day-to-day responsibility for the management and operation of the Office of Emergency Management (OEM). The Emergency Manager shall be appointed by the Emergency Management Coordinator.

The Emergency Manager shall:

A. Administer the city Office of Emergency Management on a day-to-day basis.

B. Develops, coordinates, implements, modifies and administers city emergency management plans and programs, including preparedness, training, response, mitigation and recovery, working with other local governments, city departments, special purpose districts, supporting agencies and volunteer groups.

## ATTACHMENT 2

C. Ensures readiness of the City's Emergency Operations Center (EOC) with all its related plans, exercises and functions.

D. Plans, coordinates, and conduct emergency preparedness, disaster response and EOC training for city staff.

E. Prepare and submit reports required by the Disaster Council, the Emergency Management Director, the Emergency Management Coordinator, Napa County Office of Emergency Services, State Office of Emergency Services and the Federal Emergency Management Agency.

F. Represent the city in with public and private agencies pertaining to emergency management and planning.

G. Perform all duties assigned by the Emergency Management Coordinator.

### 2.89.080. Preparation and implementation of emergency plans.

The city's emergency management plans shall be developed and maintained current by the Emergency Management Director or designee and the Office of Emergency Management, in accordance with the provisions of the California Emergency Services Act, and may be subject to the approval of the City Council. Provided, however, that the Emergency Management Director or designee shall be authorized to make administrative amendments to adopted emergency plans without approval of the City Council to the extent necessary to update nonsubstantive administrative matters (such as the identification of personnel and other resources, clerical corrections, or clarifications). A copy of administrative amendments shall be maintained by the Emergency Management Director or designee and on file with the City Clerk. The Emergency Management Director shall be responsible for the implementation of emergency management plans during a proclaimed local emergency.

### 2.89.090. Expenditures.

Any expenditures made in connection with local emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property within the city.

### 2.89.100. Acts prohibited during emergency.

It shall be a misdemeanor, punishable in accordance with Title 1 of this code, for any person, during a local emergency, to:

A. Willfully obstruct, hinder, or delay any member of the emergency organization, emergency services, or Office of Emergency Management in the enforcement of any lawful rule or regulation issued pursuant to this chapter, or in the performance of any duty

**ATTACHMENT 2**

imposed upon them by virtue of this chapter.

B. Wear, carry, or display, without authority, any means of identification specified by emergency agencies of the federal government, state, county, city or special district.

**SECTION 2: Severability.** If any section, sub-section, subdivision, paragraph, clause or phrase in this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, sub-section, subdivision, paragraph, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more sections, sub-sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

**SECTION 3: Effective Date.** This Ordinance shall become effective thirty (30) days following adoption.

City of Napa, a municipal corporation

MAYOR: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK OF THE CITY OF NAPA

STATE OF CALIFORNIA }  
COUNTY OF NAPA } SS:  
CITY OF NAPA }

I, Tiffany Carranza, City Clerk of the City of Napa, do hereby certify that the foregoing Ordinance had its first reading and was introduced during the public meeting of the City Council on the 2nd day of June, 2026, and had its second reading and was adopted and passed during the public meeting of the City Council on the \_\_\_ day of \_\_\_\_, 20\_\_\_, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_

## ATTACHMENT 2

Tiffany Carranza  
City Clerk

Approved as to Form:

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Christopher Diaz  
Interim City Attorney