

PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY*

(By the City of El Centro Director of Emergency Services)

WHEREAS, El Centro City Code Section 8-30(a) empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City of El Centro 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 El Centro does hereby find:

That the conditions of extreme peril to the safety of persons and property have arisen within the City, caused by earthquake, commencing on or about 3:40 p.m. on April 4, 2010; and

WHEREAS, that the City Council of the City of El Centro is not in session (and cannot immediately be called into session).

NOW THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City of El Centro; and

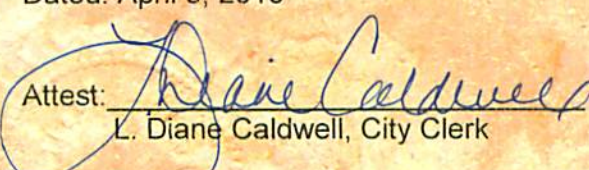
IT IS FURTHER PROCLAIMED AND ORDERED THAT during the existence of said local emergency, the powers, functions, and duties of the emergency organization of the City, shall be those prescribed by state law, by ordinances, and resolutions of the City and by the City of El Centro Emergency Plan as approved by the City Council.

IT IS FURTHER ORDERED THAT except as otherwise provided in California Business and Professions Code Section 17568.5 and California Penal Code Section 396, for a period of thirty (30) days following this proclamation and declaration, it is unlawful for a person, contractor, business, or other entity to sell or offer to sell any consumer food items or goods or services used for emergency clean up, emergency supplies, medical supplies, home heating oil, building materials, housing, transportation, freight and storage services, or gasoline or other motor fuels for a price of more than ten percent (10%) above the price charged by that person for those goods or services immediately prior to the proclamation of emergency.


Dated: April 5, 2010

CITY OF EL CENTRO

Attest:


L. Diane Caldwell, City Clerk

By


Ruben Duran, Director of Emergency Services

* It should be noted that Section 8630 of the Government Code provides that:

"...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..."

See also El Centro City Code Section 8-30(a)(1) which provides ratification within seven days.