

A PROCLAMATION BY THE DIRECTOR OF EMERGENCY SERVICES OF THE COUNTY OF TULARE, STATE OF CALIFORNIA, PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO WILDFIRE, AND ORDERING EVACUATIONS, PURSUANT TO CALIFORNIA GOVERNMENT CODE §8550 *et seq.*

WHEREAS, Government Code section 8630 and Section 1-15-1030 of the Tulare County Ordinance Code (the “Code”) empower the Director of Emergency Services of the County of Tulare (or successor, if the Director is incapacitated, unavailable, and/or otherwise unable to perform his or her duties) to proclaim the existence or threatened existence of a local emergency if the Board of Supervisors is not in session; and

WHEREAS, Section 1-15-1005(a) of the Code defines “emergency” to include “the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this County caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, earthquake, or other conditions, ... which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this County, requiring the combined forces of other political subdivisions to combat”; and

WHEREAS, pursuant to Section 1-15-1005(d) of the Code, “disaster” includes extraordinary fire or other public calamity; and

WHEREAS, when a local emergency is proclaimed, Section 1-15-1030 of the Code empowers the Director of Emergency Services (or next higher person in the order of succession, when the Director is incapacitated, unavailable, and/or otherwise unable to perform his or her duties) to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency, provided that such rules and regulations are confirmed by the Board of Supervisors at the earliest practicable time; and

WHEREAS, the SQF Complex Fire is an extraordinary wildfire currently burning within Tulare County, and the Board of Supervisors is not currently in session; and

WHEREAS, the SQF Complex Fire has already burned over 0 acres in a high tree mortality area, has posed significant firefighting challenges due to its location, and has the potential to spread rapidly towards structures in the area due to topography, tree mortality, and current weather; and

WHEREAS, the Director of Emergency Services, or successor, does hereby find that the SQF Complex Fire has created conditions of disaster and/or extreme peril to the safety of persons and property within the County of Tulare, and that such conditions are or are likely to be beyond the control of the services, personnel, equipment, and/or facilities of this County, and thus require the combined forces of other political subdivisions to combat;

WHEREAS, the Director of Emergency Services, or successor, also hereby finds that such conditions of disaster and/or extreme peril created by the SQF Complex Fire necessitate the evacuation of all persons from the areas of Ponderosa, Cedar Slope, Piles Boys Camp, and points between.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the Tulare County Director of Emergency Services, or successor, that a local emergency now exists in the County of Tulare due to the SQF Complex Fire, which has created conditions of disaster and extreme peril to the safety of persons and property within the County, and that such conditions are or are likely to be beyond the control of the services, personnel, equipment, and/or facilities of this County, thus requiring the combined forces of other political subdivisions to combat.

IT IS FURTHER PROCLAIMED that, to protect life and property, an evacuation order, also known as a mandatory evacuation, is now in effect for the following area(s) due to the SQF Complex Fire: Ponderosa and Cedar Slope

IT IS FURTHER ORDERED that the Tulare County Sheriff and any other law enforcement personnel assigned to the SQF Complex Fire, be authorized to evacuate all persons from the above areas, with reasonable force to be used as needed to enforce this Order.

IT IS FURTHER ORDERED that the Tulare County Sheriff shall allow residents of the above areas to reenter the areas to inspect their homes and retrieve their belongings, when fire conditions are deemed safe to allow re-entry.

IT IS FURTHER ORDERED that during the existence of said local emergency, the powers, functions, and duties of the emergency organization of Tulare County shall be those prescribed by State law, by ordinances and resolutions of Tulare County, and by the Tulare County Operational Area Emergency Operations Plan, as approved by the Board of Supervisors.

IT IS FURTHER REQUESTED that the Governor of the State of California find and proclaim Tulare County to be in a State of Emergency and provide resources as appropriate to combat the fire.

This Proclamation and these Orders are issued pursuant to the Emergency Services Act, commencing with Government Code §8550. This Emergency Proclamation shall be reviewed and ratified by the Tulare County Board of Supervisors within 7 days, or it shall have no further force or effect. The Mandatory Evacuation Order must be confirmed at the earliest practicable time by the Board of Supervisors.

This Order shall take effect immediately.

It is so ordered and proclaimed this ____ day of August, 2020 at _____ ~~a.m.~~ / p.m.

JASON T. BRITT, CAO
Director of Emergency Services
County of Tulare