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**PROCLAMATION CONFIRMING EXISTENCE
OF A LOCAL EMERGENCY**

WHEREAS, Section 2.40.060 of the Modoc County Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when Modoc County is affected or likely to be affected by a public calamity and the Board of Supervisors is not in session; and

WHEREAS, the Director of Emergency Services of the County of Modoc does hereby find; That conditions of extreme peril to the safety of persons and property have arisen within Modoc County, caused by wildfire, ignited naturally; which began on or about August 6, 2012 within the territorial limits of Modoc County, and ;

WHEREAS, the inherent authority to control and protect free travel on the network of roads and rights-of-way within the boundaries of Modoc County is held by Modoc County to protect the health, safety, welfare and commercial opportunities of all people within Modoc County; and

WHEREAS, the network of roads within the boundaries of Modoc County are necessary and essential for those purposes; and

WHEREAS, the free use of the public roads and rights of way within Modoc County is essential for the use of emergency medical personnel, Modoc County Law Enforcement personnel, search and rescue personnel, fire fighting activities and commerce; and

WHEREAS, Modoc County also has a compelling interest in protecting our water, grazing, wildlife and other natural resources whether those uses are consumptive or non-consumptive; and

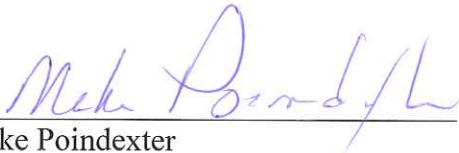
WHEREAS, the free use of several roads which are essentially tied to the access of these resources, and for other uses set forth above, has been encumbered and impeded by obstructions placed in various locations by non-county agencies; and such obstructions

create an unauthorized and potentially dangerous impediment to the free use of our roadways, routes of travel and rights-of way and pose a clear threat to the health, safety, welfare and economic well being of our citizens; and

WHEREAS, The Board of Supervisors of the County of Modoc 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 County, 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 County shall be those prescribed by state law, by ordinances, and resolutions of the County, and; That this emergency proclamation shall expire in 7 days after issuance unless confirmed and ratified by the governing body of the County of Modoc.



Mike Poindexter
Sheriff/Coroner/Director of Emergency Services



Date

RATIFIED by the Board of Supervisors of the County of Modoc on October 23, 2012
by the following vote:


AYES: Supervisors Bullock, Cantrall, Crabtree, & Byrne.

NOES: None.


ABSTAIN: None.

ABSENT: Supervisor Allan.



By: 
Chairman of the Board of Supervisors

ATTEST:


Clerk of the Board of Supervisors